UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/1990/5/Add.22
17 October 1994

ENGLISH
Original: FRENCH

Substantial session of 1995

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

ALGERIA

[27 September 1994]

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GE.94-19382 (E)

INTRODUCTION

1. Pursuant to article 122 of the Constitution, which provides that treaties concerned with the status of persons shall be ratified by the President of the Republic after being explicitly approved by the National People's Assembly; the International Covenant on Economic, Social and Cultural Rights was ratified by Presidential Decree No. 89-67 of 16 May 1989 after approval by the National People's Assembly (Act No. 89-88 of 25 April 1989, published in Official Journal No. 17 of 26 April 1989). The Covenant entered into force on 12 December 1989.

2. The present initial report of Algeria, submitted in accordance with articles 16 and 17 of the Covenant, will describe the measures adopted in the economic, social and cultural fields and the progress achieved by the policy of ensuring protection and promotion of the rights laid down in the Covenant. Similarly it will list the main provisions of Algerian legislation that guarantee observance and promotion of the rights set forth in articles 6 to 15 of the Covenant.

3. When it submitted its initial reports to the Committee against Torture and the Human Rights Committee in the course of 1991 and 1992, Algeria made preliminary statements on the reforms in progress, so as to enable those to whom the reports were addressed to obtain a better grasp of the latest developments inside Algeria, which are designed to strengthen the democratic structures set in place, improve the functioning of national institutions and consolidate a State based on the rule of law.

4. The reforms undertaken throughout the 1980s affected the economic, social and political life of the country. The economic sphere was given prime attention with a view to attaining the objective of establishing a sounder system of national production in order to gain a better comprehension of management methods and their adaptation to social, economic and technical progress. In setting out on this vast enterprise of transformation, Algeria's prime purpose was to give effect to the deep-felt aspirations of Algerian society.

5. Political life has undergone profound changes, brought about by the adoption of the multi-party system given expression in the Constitution adopted by popular referendum on 23 February 1989.

6. This report is being presented at a time when Algeria is experiencing an acceleration of the process of economic, social and cultural reform begun during the 1980s, an acceleration brought about by the major political changes that have taken place with the adoption of a new Constitution. This basic law reaffirms in particular Algeria's attachment to the cardinal principles concerning human rights contained in the United Nations Charter.

7. Thus it is emphasized in the preamble to the Constitution that "the people intend, through this Constitution, to provide itself with institutions which are based on the participation of citizens in the management of public affairs and which give effect to social justice, equality and the freedom of each and every one. The preamble also states: "The Constitution is above everybody; it is the Fundamental Law that guarantees individual and collective

rights and freedoms, protects the principle of free choice of the people and legitimizes the exercise of authority. It makes it possible to ensure legal protection and to supervise the acts of the public authorities in a society given over to the rule of law and the flourishing of Man in every possible respect".

8. The need to overhaul the whole legal framework that regulates both the functioning of the national institutions and the exercise of fundamental human rights and freedoms quickly became obvious. This overhaul consisted essentially in strengthening the democratic structures and consolidating the State based on the rule of law.

9. The actions undertaken with a view to strengthening a State under the rule of law and consolidating democratic institutions have been backed up by various measures taken to give legal and material effect to the constitutional principles adopted and to protect human rights and fundamental freedoms. The 1989 Constitution extends the scope of human rights and freedoms. The rights recognized by the 1976 Constitution have been reaffirmed and ways of exercising them strengthened and guaranteed by new constitutional provisions.

10. Thus, a whole chapter is devoted to rights and freedoms, as follows:

(a) Article 30: The purpose of the institutions is to ensure equality of rights and obligations for all citizens, whether men or women, by removing the obstacles to the full development of the human personality that prevent the effective participation of all in political, economic, social and cultural life.

(b) Article 31: The fundamental rights and freedoms of the human being and the citizen are guaranteed. They represent the shared heritage of all Algerian men and women, whose duty it is to transmit them intact and inviolate from generation to generation.

(c) Article 32: Individual or collective defence of fundamental human rights and individual and collective freedoms is guaranteed.

(d) Article 34: Infringements of rights and freedoms and attempts to undermine the physical or moral integrity of the human being are punishable by the law.

(e) Article 36: The citizen is guaranteed freedom of artistic and scientific intellectual creation, and his or her intellectual property rights are protected by the law.

(f) Article 39: The freedoms of expression, association and assembly are guaranteed.

(g) Article 40: All citizens are guaranteed equal access to posts and employment within the State with no conditions other than those laid down by the law.

(h) Article 50: The right to education is guaranteed. Education shall be free of charge under the conditions laid down by the law. Primary education shall be compulsory. The State shall organize the educational system. The State shall ensure equal access to education and vocational training.

(i) Article 51: All citizens have the right to protection of their health. The State shall take steps to prevent and combat epidemic and endemic disease.

(j) Article 52: All citizens have the right to work. The right to protection, safety and healthy conditions at work is guaranteed by the law. The right to rest is guaranteed; the law shall determine the ways in which this right is exercised.

(k) Article 53: All citizens shall have the right to organize.

(l) Article 54: The right to strike is recognized. It shall be exercised within the framework of the law, which may prohibit or limit its exercise in the sphere of national defence and security or in public services and activities of vital interest to the community.

(m) Article 55: The family shall be given the protection of the State and society.

(n) Article 56: The living conditions of citizens who cannot yet work, can no longer work or will never be able to work are guaranteed.

(o) Article 60: All the freedoms of each individual shall be exercised with due regard for rights conferred on others by the Constitution, particularly the right to honour, privacy, and protection of the family, young persons and children.

I. GENERAL PROVISIONS OF THE COVENANT

Article 1

11. Algeria's position regarding enjoyment of the right recognized in article 1 of the Covenant was stated at length in the initial report submitted to the Human Rights Committee and considered by that body at its forty-third session in New York from 23 March to 10 April 1992. The relevant extracts will be found in document CCPR/C/62/Add.1.

Article 2

12. This report will describe the efforts made by Algeria gradually to make possible full exercise of the various rights laid down in the International Covenant on Civil and Political Rights. It must be remembered that these efforts, which have been made both internally and in respect of international economic relations, tend to encourage a type of evolution whose main features are growth and social harmony.

13. It goes without saying that Algeria's resolute commitment to the cause of human rights implies that the enjoyment of the economic, social and cultural rights which are the subject of this report should be guaranteed for all, as mentioned in Algeria's initial report on the exercise of civil and political rights. One of the first acts of independent Algeria was to remove from the national legislation all the laws and regulations of a discriminatory nature inherited from the colonial period. Since then, a profusion of new laws covering all domains of political, economic, social and cultural life in perfect harmony with the basic principles of non-discrimination and respect for human rights has thus shaped the legal system that has been gradually established in Algeria.

14. Universal access to the enjoyment of human rights is, moreover, specified in the Algerian Constitution, which underlines in its article 28 that "citizens are equal before the law without distinction on the ground of birth, race, sex, opinion or any other personal or social condition or circumstance".

15. In the same way it is stated explicitly that "Any foreigner who is legitimately on Algerian territory shall enjoy the protection of the law for his person and his property" (Constitution, art. 64).

16. As already mentioned in other national reports submitted by Algeria under the obligations arising from its accession to other international human rights instruments, many of the rights recognized in those instruments are guaranteed by the Constitution and now form an integral part of national legislation.

17. It is worth recalling that, under the terms of the Constitution itself, international agreements ratified by Algeria have an authority higher than that of the law. Thus, the Constitutional Council, in its decision No. 1 of 20 August 1989, considered that "once it has been ratified and published, any Convention shall form an integral part of national law and, under the terms of article 123 of the Constitution, shall acquire an authority higher than that of the laws, thus authorizing any Algerian citizen to cite it in his favour before the courts" and that "this shall apply in particular to the United Nations Covenants of 1966".

18. The cardinal principle of non-discrimination has been dealt with at length in the various reports submitted regularly by Algeria to the Committee on the Elimination of Racial Discrimination; the ninth and tenth periodic reports, submitted together in a single document, are shortly to be considered by that body.

19. This rejection of any discriminatory practice may be deduced from a reading of the whole set of laws designed to ensure the immediate or progressive exercise of human rights. Thus Act No. 78-12 of 5 August 1978 making general provision for workers' conditions of employment states: "Workers' rights are guaranteed by law. Workers shall have equal rights and obligations. They shall be entitled to the same remuneration and advantages for the same work if they have equal skills and output". The same Act provides: "Disabled persons who cannot be employed in normal working conditions shall be entitled to sheltered work or, where necessary, places in sheltered workshops and to special training".

20. Act No. 75-35 of 16 April 1976 relating to the organization of education and training, states that the Algerian educational system must:

(a) Inculcate in young people the principles of justice and equality between citizens and peoples, and encourage them to fight against any form of discrimination;

(b) Provide an education that encourages understanding and cooperation between peoples to ensure universal peace and understanding among nations;

(c) Develop an education that is in accord with human rights and fundamental freedoms.

21. In the same way, the laws that regulate the freedoms of association, opinion, expression and assembly contain specific provisions that forbid any practices likely to infringe human rights. Moreover, the terms of reference of the Constitutional Council confer on that body the authority to monitor, inter alia, laws and regulations concerned with human rights. Thus, if the Constitutional Council considers that a provision in an Act or regulation is unconstitutional, that provision will become null and void as soon as the Council publishes its decision. In this respect, it should be noted that the Council ensures scrupulous respect for the principle of non-discrimination that is laid down, in particular, in the Constitution.

22. In addition to its decision No. 1, discussed earlier, the Constitutional Council, in its decision No. 2 (D.L.CC.89) of 30 August 1989, declared that article 8 of Act No. 14 of 8 August 1989 regarding the status of deputy ran counter to article 28 of the Constitution. Article 8 of that Act was concerned with the compatibility of the posts of professor in higher education and physician in the public sector with the status of deputy. The Council considered that "The law, which expresses the general will, cannot create situations of inequity between citizens and that the exclusion of incompatibility in favour of certain holders of public posts, as provided for in article 8, creates a discriminatory situation vis-à-vis those holding identical posts under different legal conditions".

23. The judicial, administrative and other authorities are for their part bound to respect the law and the international commitments of Algeria, since the Constitution contains numerous provisions concerning those commitments.

24. The equal right of men and women to enjoy the economic, social and cultural rights laid down in the Covenant is recognized and protected. This right to equality arises in particular from article 28 of the Constitution, which provides that "All citizens are equal before the law without distinction on the ground of birth, race, sex, opinion or any other personal or social condition or circumstance".

25. Moreover, Algeria ratified ILO's Equal Remuneration Convention (No. 100) when it joined the International Labour Organization in the first few months after its independence.

II. SPECIFIC RIGHTS

Article 6

26. Algeria is a party to:

ILO Convention No. 89 concerning night work by women;

ILO Convention No. 100 concerning equal remuneration for men and women for work of equal value;

ILO Convention No. 122 concerning employment policy;

ILO Convention No. 111 concerning discrimination (employment and occupation);

The International Convention on the Elimination of All Forms of Racial Discrimination of 21 December 1965.

27. The Algerian Constitution states in article 52: "All citizens have the right to work. The right to protection, safety and healthy conditions at work is guaranteed by the law. The right to rest is guaranteed; the law shall determine the ways in which this right is exercised".

28. Employed persons, in both the public and private sectors, are subject to the General Provision for Workers' Conditions of Employment (Act No. 78-12) of 5 August 1978, which contains the following provisions:

(a) Article 1 defines "the rights enjoyed by workers and the corresponding obligations that they are required to discharge, in either case irrespective of the sector in which they are employed";

(b) Article 4 states that "work is the essential factor in the economic, social and cultural development of the nation and the source from which a worker derives his means of subsistence. Algerian society is based on work";

(c) Article 6: "The right to work is guaranteed in accordance with the Constitution";

(d) Article 7: "Workers' rights are guaranteed by law";

(e) Article 10: "The State shall guarantee all workers stability and security of employment, subject to the conditions specified in this Act and the regulations made thereunder";

(f) Article 11: "Every worker shall have the right to the physical, spiritual, cultural and occupational development of his personality";

(g) Article 16: "Workers shall enjoy all the rights conferred on them by law in connection with welfare schemes. Undertakings shall provide the necessary conditions for the exercise of such rights. Such conditions shall be fully suited to enabling workers to achieve physical, spiritual and cultural well-being";

(h) Article 48: "Jobs shall be assigned in accordance with the requirements of the national development plan and with due regard for the skills, aptitudes, wishes and preferences of the workers concerned".

29. The protection of persons considered vulnerable is explicitly provided for in national legislation, as shown by the following developments.

Disabled persons

30. Disabled persons are viewed as integral members of society and therefore enjoy all established economic, social and cultural rights. In addition, their vulnerability is regularly taken into account when welfare projects are formulated.

31. As part of the World Programme of Action concerning Disabled Persons, Algeria has established statutory and legislative machinery designed to ensure genuine social and occupational integration for the disabled. The Constitution stipulates in article 56 that "The living conditions of citizens who cannot yet work, can no longer work or will never be able to work are guaranteed". On the basis of this general principle, a number of steps have been taken to achieve the key aim of improving the living conditions of disabled persons by giving them as many advantages as possible. This legislative and statutory machinery provides the practical framework for looking after some of the vital interests of disabled persons.

32. The rights thus recognized and promoted, other than the right whose enjoyment is described in this section, such as the right to health, social welfare and education, will be covered in the relevant sections of this report.

33. The occupational and social integration of disabled persons is covered by the terms of the Apprenticeship Act (No. 81-07) of 7 June 1981, which gives young disabled persons access to an apprenticeship, with the possibility of raising the upper age-limit to 20 years. In addition, in the area of vocational training there are centres that cater for disabled persons, in particular, the National Vocational Training Centre for the Physically Disabled (Decree No. 81/397 of 26 December 1981).

34. Incentives have also been introduced for the employment of disabled persons in the form of tax exemption on industrial and commercial profits and exemption from the lump-sum payment for enterprises employing at least one disabled person or enterprises attached to associations. Confirming the State's position on the matter, the Labour Relations Act (No. 90-11) of 21 April 1990 requires employers to reserve jobs for disabled persons.

Women

35. Discrimination of any kind on grounds of sex is prohibited, as evidenced in particular by the relevant provisions of the Constitution quoted above.

36. The broad lines of policy that have governed the country's economic and social life tend to enhance equality between citizens, in terms of rights and obligations, without distinction on the ground of sex.

37. With specific reference to the right to work, the existing legislation confirms the equal rights of workers. The Individual Employment Relation Act (No. 82-06) of 27 February 1982 states, in article 8: "Workers shall enjoy the same rights and incur the same obligations, regardless of their sex and age, when they occupy the same posts. Subject to equal qualifications and performance, they shall enjoy the same remuneration and allowances for the same work".

38. In addition, labour legislation includes special protective provisions designed, in particular:

(a) To prohibit night work for women under 19 years of age; for women over 19, night work is limited to certain jobs or certain production units;

(b) To prohibit the dismissal of women during pregnancy;

(c) To make provision for and grant leave of absence for women with a dependent child of preschool age or with a disorder requiring continuous treatment;

(d) To allow a working woman who is nursing her child two hours' absence per day for the first six months after delivery and one hour per day for the following six months.

39. The following table shows the trend in the active female population from 1977 to 1989 (in thousands):

1977	1982	1983	1984	1985	1988	1989
203	348	360	404	523	511	542

40. A recent study by the National Statistics Office showed a marked increase in female employment, which rose from 523,000 in 1985 to 542,000 in 1989, representing an annual average increase of 0.9 per cent. The active female population now represents 10 per cent of the total. A total of 140,000 women, or 25.9 per cent of the active female population, engage in an activity at home. This type of employment is steadily expanding, as shown by the increase of 82,000 persons recorded over a three-year period.

41. While it is true that female employment may be subject to social, religious and, of course, economic constraints, recent surveys have clearly shown that female employment has to be viewed increasingly in socio-educational terms, given that female employment is more common in households where the level of education is higher.

Training

42. Act No. 78-12 of 5 August 1978 making general provision for workers' conditions of employment contains the following articles:

(a) Article 1/1: Training is a factor in workers' social advancement and career prospects and affords a guarantee of the country's economic development. Training schemes shall be prepared and carried out with the participation of the workers' representatives;

(b) Article 173: A pre-employment wage may be granted by the State or any undertaking to a future worker engaged under contract to work for a minimum period with that undertaking. The procedures for financing and organizing training for which a socialist undertaking has assumed responsibility shall be laid down by decree;

(c) Article 172: In accordance with the provisions contained in the National Charter and the Constitution, all forms of training are a national obligation for workers, undertakings and the State;

(d) Article 176: Every undertaking, acting in cooperation with the workers' representatives, shall make arrangements to promote and carry out the training and further training schemes corresponding to its needs and to provide recurrent training for all its workers, with the object of promoting their personal development and self-expression. The training schemes organized by each undertaking shall take account of the general trends in the undertaking itself, the training schemes run by other undertakings and sectors and the existence of training facilities provided by other undertakings either individually or jointly and those available at the national level;

(e) Article 178: Every worker shall be required to follow training or further training courses, seminars or schemes organized in the light of the undertaking's needs, with the object of updating or increasing the general, vocational and technical knowledge that he requires for the normal performance of the duties entrusted to him or which his undertaking intends to entrust to him in connection with his promotion.

43. Act No. 90 of 31 December 1990 establishing the national plan for 1991 states, in article 13, that the aim of providing more effectively for citizens' basic social needs shall be pursued in 1991 with a view to preserving social balance and shall constitute a key element of all activities mentioned under this Act. In practical terms, it will be pursued more specifically through:

(a) The development of productive employment, in activities related to market integration or adjustment to demand, based in particular on the development of subcontracting and maintenance, with more effective exploitation of existing capacities and stimulating activities by small and medium-sized enterprises;

(b) The safeguarding of existing overall employment by ensuring better use of production and training capacities and by promoting the reorientation of enterprises towards areas of inadequate supply or strong demand.

44. Among the general aims and priorities of Act No. 91-26 of 18 December 1991 establishing the national plan for 1992, mention should be made of:

(a) The safeguarding of existing overall employment and the promotion of training and retraining activities based on a better knowledge of the labour market;

(b) The gradual reform of the systems of education, training and research, in particular basic and applied educational research, with a view to improving their performance and ensuring better coordination between their components.

45. As already mentioned in this chapter, the Algerian State has undertaken to ensure stability and security of employment for all workers under article 10 of the Act making general provision for workers' conditions of employment and other relevant legal provisions. To that end, the Algerian Government has adopted a series of measures aimed at the provision of vocational guidance and training and the formulation of programmes, policies and techniques designed to ensure steady economic, social and cultural development and productive full employment.

46. With regard to vocational guidance and training, activities to which Algeria accords high priority, the strong demand for skilled labour called for action based on the following principles:

(a) Organization and development of in-plant vocational training;

(b) Introduction of national training through apprenticeship;

(c) An increase in the number of vocational training centres;

(d) Launching of a system of training by correspondence;

(e) Coordination of all vocational training bodies constituting the national training system.

47. Mention should also be made of the adoption of laws and decrees on the subject, including the Apprenticeship Act (No. 81-07) and numerous decrees aimed at:

(a) Organizing and promoting vocational training by standardizing the conditions of access to, and funding and duration of, training and the procedures for issuing diplomas and certificates (Decree No. 83-573 of 15 October 1983);

(b) Organizing in-plant vocational training (Decree No. 82-299 of 4 September 1982 concerning the promotion of in-plant vocational training; Decree No. 82-298 of 4 September 1982 concerning the organization and financing of in-plant vocational training);

(c) Organizing the bodies responsible for the training of instructors by establishing four institutes (Médéa: mechanics and graphic arts; Sétif: buildings, equipment; Birkhadem: office jobs, chemistry; Sidi Bel Abbes: electricity, industrial refrigeration);

(d) Organizing the institution responsible for the promotion and development of in-plant training (Decree No. 81-394 of 26 December 1981 setting up the National Vocational Training Institute).

48. As a result, Algeria now has a national vocational training system with 697 residential training institutions covering public works, construction, mechanics, metallurgy, electricity, furniture, agriculture, chemistry, handicrafts, etc. In addition, it has the national system of training by apprenticeship and training by correspondence. In all, 250,000 training slots covering 140 specialized fields are available. Emphasis is currently placed on adaptation of the training system to the country's economic needs and the technical development of occupations.

49. Provision is also made for coordination between trainers and users. In addition, new courses of studies have been introduced, such as the training of 3,200 computer programmers (late 1989), the training of systems maintenance technicians and the introduction of an office automation unit into certain specialized courses. Enterprises may in turn take advantage of the vocational training institutes, which organize officially recognized vocational development or retraining courses. The private sector provides 42 per cent of the training courses, chiefly in the form of in-plant schemes. These activities are accompanied by technical and pedagogical assistance from the vocational training centres and administrative and financial assistance from the State.

50. Secondly, special mention should be made of the agricultural training programme launched in 1985, in view of the role assigned to agriculture in the development process and in the effort to achieve self-sufficiency in food. The programme involves development of the training system and its orientation towards production, apprenticeship activities, adaptation of the workforce, and the further training of technicians and managers.

51. Algeria currently has 5 higher training institutes, 14 intermediate agricultural technology institutes, 30 agricultural training and extension centres, and 1 national agricultural education centre responsible for research and teaching aids, training of instructors and curriculum design.

52. Lastly, to complete this overview of technical and vocational training programmes in Algeria, reference should be made to recent legislation in the area:

(a) Executive Decree No. 91-54 of 23 February 1991 concerning the tasks, organization and functioning of the National Vocational Training Institute which, according to article 2 of the Executive Decree, is responsible for:

(i) Carrying out studies and research related to the development of the training and vocational qualification system;

(ii) Designing and producing training programmes tailored to the various training and vocational qualification systems;

(iii) Gathering, processing and distributing to training establishments and instructors all important information on technical, technological and pedagogical developments in the field of vocational training;

(iv) Designing, producing and running, on the basis of a plan extending over several years, the training, retraining and professional or pedagogical development programmes designed to establish and maintain the professional competence of the training and management staff of training establishments;

(v) Providing for the retraining and professional development of specialized vocational education teachers, vocational training inspectors and directors of vocational training establishments;

(b) Executive Decree No. 91-55 of 23 February 1991 amending and supplementing Executive Decree No. 90-164 of 2 June 1990 concerning the organization of the central administration of the Ministries of Social Affairs and Employment. Article 1 of the Executive Decree states that under the authority of the Minister for Social Affairs and of the Minister for Employment, the Central Department of Social Affairs and Employment shall comprise the following branches: employment regulation, employment promotion, labour relations, social security and welfare;

(c) Executive Decree No. 90-244 of 4 August 1990 laying down the rules governing the organization and functioning of the wilaya employment and vocational training services. Under article 3, the wilaya employment and vocational training services are required to develop and implement measures designed to promote and stimulate employment and vocational training. To that end, they will be responsible for:

(i) Stimulating, coordinating and periodically evaluating developments in the labour market;

(ii) Identifying and putting forward measures designed to protect existing employment and promote job creation, and implementing the activities approved in that regard;

(iii) Promoting coordination between vocational training establishments, local employment agencies, economic operators, and the authorities responsible for education and youth affairs;

(iv) Stimulating and invigorating the voluntary organization movement with a view to promoting employment and vocational training.

53. Similarly, in accordance with the Wilaya Act (No. 90-09) of 7 April 1990, the wilaya people's assembly may, in cooperation with the communes and economic operators initiate, promote or participate in job-creation programmes aimed at young people or development regions.

54. Among the most noteworthy aspects are the mobilization of the sector's research and analysis potential, relations with the economic world and intersectoral cooperation, whose structures and mechanisms were set up in 1990 through the specialized vocational committees and the wilaya vocational training committees. This system has been supplemented by the reorganization of the local employment and vocational training structures, aimed at improving the integration of employment and training.

55. For 1991, the programme presented early in the year by the Minister responsible for vocational training provided for a sustained rate of increase in the number of trainees (approximately 23 per cent more trainees in 1991 than in 1990). The programme provided for the training of 284,000 persons using different methods (residential training: 120,000; apprenticeship: 100,000; distance teaching: 50,000; evening courses: 100,000; in-plant training: 4,000).

56. In terms of teaching capacity, a quantitative increase of 54,000 posts was envisaged. This increase will facilitate the attainment of a number of objectives, namely, expanding level 4 (technical) training, redressing the imbalance in the distribution of teaching staff in favour of levels 4 and 5 (technical and higher technical), and at the same time continuing to expand capacity for providing training at levels 1, 2 and 3 (skilled and highly skilled workers). This increase should also fulfil the objective of promoting certain neglected fields of specialization or launching promising new fields, such as agriculture and fisheries, arts and crafts, tourism, the plastics industry, servicing of elevators, clocks and watches, information technology, public relations and occupations in the area of communications.

57. Discrimination in employment is prohibited in Algeria. This is a cardinal constitutional principle enshrined, in particular, in article 28 of the Constitution, which provides that "citizens are equal before the law without distinction on the ground of birth, race, sex, opinion or any other personal or social condition or circumstance". In addition, article 48 of the Constitution establishes the principle of "equal access to posts and employment within the State, which shall be guaranteed to all citizens, with no conditions other than those laid down by the law".

58. A number of measures designed to promote economic, social and cultural development and full productive employment in conditions which protect the right of individuals to fundamental political and economic freedoms have been put into effect following the adoption of the Constitution of 23 February 1989. The main thrust of those measures has been to combat the underlying causes of inflation, and to promote activities in priority areas and sound economic management. This has required:

(a) The introduction of a method for the short, medium and long-term management of external financial balances to enable the productive sector to fulfil its role more effectively by making the necessary investments;

(b) More efficient management of the money supply;

(c) Modernization of commercial regulations.

59. Public enterprise reform is the last element of the reform package. In Algeria public enterprises have so far been the main vehicle of development policy. The reform of such enterprises is aimed, first of all, at ensuring their autonomy, and freedom of management and initiative, thereby enabling them to operate in accordance with the commercial regulations in force, the market henceforth being the sole arbiter of their efficiency.

60. Public economic enterprises (EPEs) have now been incorporated as bodies corporate persons subject to the rules of commercial law (Act No. 88-01 of 12 January 1988 containing guidelines for public economic enterprises). The EPEs represent limited liability companies all of whose shares and/or capital contributions are held directly or indirectly by the State and/or the local communities. The EPE has responsibility for its own assets and for assets to which it is entitled by law and which may be subject to recovery in accordance with the laws in force.

61. The autonomy of enterprises has also been strengthened by the establishment of equity funds. These are joint-stock companies operating under a specific juridical regime which are the financial agents of the State, from which they receive the portfolio of share capital issued by the EPEs as a set-off against payment for equity. The equity is held by the State, which transfers its rights therein to the fund.

62. Decree No. 88-02 of 12 January 1988 governing equity funds which are responsible for placing investments in the form of capital shares in the EPEs in order to secure dividends assigns to such funds a development and supervisory role. The number of shares which the funds may hold in an enterprise varies but may not exceed 40 per cent of the total. The equity fund is managed by a board of directors composed of five to nine members who are appointed by the Government.

63. There are currently eight equity funds in the following sectors: mining, capital goods; chemical and petrochemical industries, pharmaceuticals; construction; services; miscellaneous industries; electronics, telecommunications and information science; food and agriculture.

Article 7

64. In addition to the fact that Algeria is party to most of the ILO conventions, the right to work is protected by a comprehensive set of laws based on the constitutional principles mentioned above, which guarantee, in conditions of equality for all citizens, employment and remuneration geared to qualifications and the real value of work performed.

Remuneration

65. Algeria's wages policy is based on the principles of a guaranteed minimum wage. The criteria used to determine the wage level are the cost of living and the growth in national output. The policy is also based on additional remuneration determined by the productivity of the enterprise thus giving workers a stake in its performance.

66. The equality of men and women in this area is provided for in, inter alia, article 8 of the Act making general provision for workers' conditions of employment, which stipulates: "Workers' rights are guaranteed by law. Workers shall have equal rights and obligations. They shall be entitled to the same remuneration and advantages for the same work if they have equal skills and output".

67. Articles 128 to 138 of the same Act spell out the objectives of wages policy:

> "Article 128: The levels and scales of wages and the overall level of the wage bill shall be fixed in the light of development requirements, the economic, cultural and social objectives laid down in the plan, the growth of production and added value, the policy of assuring fair shares in national income and the effects of economic growth.
>
> Article 129: The national guaranteed minimum wage applicable in all sectors of activity shall be fixed by decree in the light of the workers' vital needs and the country's economic possibilities.
>
> Account shall be taken, in fixing the national guaranteed minimum wage, of trends in the prices of essential goods and services forming part of a standard family budget to be fixed in regulations.
>
> Movements in the level of the national guaranteed minimum wage shall be linked to development requirements and to national objectives in the economic, cultural and social fields.
>
> It shall be the purpose of wages policy, subject to the requirements and objectives referred to in the preceding paragraph, to eliminate the disparity between the national guaranteed minimum wage for agriculture and those for other sectors.
>
> Article 130: Overall trends in wages shall be linked to the trends in the national guaranteed minimum wage within the limits of the national wage scales laid down by the Government.

Article 131: It shall be the purpose of wages policy, subject to the requirements and objectives referred to in the third paragraph of section 129, to progressively reduce and finally eliminate the wage disparities between agriculture and the other sectors."

Safe and healthy working conditions

68. The right of everyone to fair and satisfactory working conditions that, in particular, ensure safety and hygiene is guaranteed by article 52 of the Constitution, which stipulates that "The right to protection, safety and healthy conditions at work is guaranteed by the law". Moreover, article 13 of the Act making general provision for workers' conditions of employment stipulates: "An undertaking shall guarantee its workers the health and safety conditions specified in the legislation currently in force". Article 88 of the Act makes it mandatory for employers to draw up work rules covering, inter alia, occupational health and safety standards.

69. Act No. 88-07 of 26 January 1988 relating to occupational health, safety, and medicine defines ways and means of ensuring that workers enjoy the best possible conditions in these areas, and designates the individuals and employers responsible for the execution of the measures provided for. In particular, the Act stipulates that employers are responsible for ensuring workers' health and safety and for integrating safety considerations in technical and managerial decisions. Installations must be suitable for the type of work to be performed and must eliminate risks. They must be periodically inspected and maintained so as to ensure workers' safety. Employers are required to pay for health and safety-related activities. Statutory responsibility for ensuring that these provisions are enforced lies with the Labour Inspectorate.

Equal opportunities for promotion

70. The right to be promoted to an appropriate higher category, on the basis of no other criterion than length of service and ability, is guaranteed and protected. This right is duly provided for and spelt out in the specific regulations applicable to the personnel of State bodies and in the collective agreements of enterprises.

Rest, leisure, limitation of working hours and holidays with pay

71. The right to holidays is enshrined in article 52 of the Constitution. Furthermore, article 17 of the Act making general provision for workers' conditions of employment guarantees the right of all workers to rest, and specifies that they may exercise this right under the conditions of articles 79 to 87 of the Act:

"Article 79: Every worker shall have the right to a full day of rest each week. The normal day for the weekly rest, which shall correspond to the ordinary conditions of work, shall be prescribed by decree.

Where the needs of the general public or the organization of production and work so require, the weekly rest may be postponed or taken on some other day, in the manner prescribed in regulations.

Article 80: The various public holidays with pay shall be those prescribed in the legislation currently in force.

Article 81: The weekly rest days and the various public holidays with pay shall be statutory days of rest.

Article 82: A worker who has been employed on a statutory day of rest shall be entitled to a compensatory rest of equal length and to the overtime supplement provided for in regulations.

Article 83: All workers shall be entitled to the same arrangements for annual leave.

Entitlement to annual leave shall be based on the work done in the course of an annual base period running from the first day of July of the year preceding the leave to the thirtieth day of June of the current year.

This base period for the assessment of entitlement to, and the period of, leave shall remain fixed, irrespective of the date on which the worker takes his leave and of the date on which he took his leave for the previous year.

Notwithstanding the foregoing, the starting date for the base period in the case of workers who are recruited in the course of the leave year defined above shall be the date of their recruitment.

Article 84: Leave arrangements, and specifically the length of annual leave and the bases for calculating leave entitlements and leave remuneration, shall be prescribed by law.

Article 85: The period for taking annual leave with pay shall be prescribed by decree.

It shall be chosen with due regard for the needs of the general public, production and productivity and the workers' own interests.

Article 86: Annual leave with pay may be taken in instalments if the requirements of service so warrant or permit.

The procedure for taking such instalments shall be prescribed in the model conditions of employment issued for the sector of activity concerned.

Article 87: Every worker shall be under an obligation to take his leave each year. In no circumstances may remuneration be paid in lieu of leave.

Only in exceptional cases shall a worker be permitted to carry over all or part of his annual leave from one year to another."

72. Decree No. 82-184, dated 15 May 1982, relating to statutory rest periods, stipulates as follows:

"Article 1: The purpose of this Decree is to fix the rules applicable to weekly rest and paid public holidays.

Article 2: Every worker shall be entitled to a weekly rest period of at least 24 consecutive hours.

Article 3: The normal weekly rest day under normal conditions of employment is set as Friday.

Article 4: In those sectors in which the working week is spread over five days, in conformity with article 9 of Act No. 8103 of 21 February 1981 establishing statutory working hours, the weekly rest days shall be set on the basis of economic requirements and of the social needs of citizens and workers.

Accordingly:

The second weekly rest day for administrative departments open to the public shall be Thursday;

The second weekly rest day for economic production units shall be Saturday."

73. As regards the length of the working day, articles 67 to 71 of the Act making general provision for workers' conditions of employment set out the applicable general rules:

"Article 67: The daily and/or weekly hours of work shall be prescribed by law.

Timetables shall be laid down by each undertaking with due regard for the basic timetables issued in regulations at the national level.

Timetables shall be designed and fixed in consultation with the workers' representatives and with due regard for the requirements of the general public, production and development and for the specific features of the place or region where the job is done.

Article 68: The working day shall not in any circumstances be spread over more than 12 hours.

Article 69: Where the activity carried on by an undertaking requires extra work to be done either on specified occasions or from time to time, the undertaking may, after having exhausted all possibilities compatible with the rational and optimum use of its available manpower

during the normal hours of work, require any worker to work overtime beyond the statutory limits either laid down for the hours of work or embodied in the timetables.

Article 70: Recourse to overtime shall be had only in exceptional cases, and must then correspond to an absolute need, be compatible with the requirements of full employment policy and be dictated by an effort to achieve higher output. The following conditions, inter alia, shall apply to overtime:

Except in cases of force majeure every worker shall be required to work overtime if called upon to do so by his undertaking;

The number of hours of overtime worked by any given worker shall not exceed a limit to be fixed in the model conditions of employment issued for the sector of activity concerned;

Overtime shall entitle a worker to compensation calculated and paid in the manner prescribed in the model conditions of employment issued for the sector of activity concerned.

Article 71: In cases where the normal hours of work correspond to a system of continuous working, the undertaking shall arrange for a half-hour break to be given at an appropriate time near the middle of the working day; this break shall be reckoned as time worked for the purpose of determining the actual hours of work."

74. Act No. 81-03 of 21 February 1981, which prescribes the statutory hours of work and is applicable to all sectors of activity, provides:

"Article 1: The purpose of this Act is to set forth the provisions relative to the daily and weekly hours of work.

Subject to the provisions of article 212 of Act No. 78-12 of 5 August 1978 making general provision for workers' conditions of employment, this Act shall apply to all sectors of activity.

Article 2: The term 'statutory hours of work' shall mean the time during which a worker is at the disposal of the undertaking, either at the worksite or in some other place, for the purpose of preparing or performing the tasks for which he is responsible.

Article 3: The hours of work shall be fixed with due regard for the development requirements of the nation and its economic, cultural and social objectives.

The hours of work shall be determined by the pace at which production advances, improvements in productivity, and scientific and technical progress.

As a general rule, the hours of work shall permit the development of the worker.

Article 4: The duration of the working week shall be set at 44 hours.

Article 5: Article 4 above notwithstanding, the hours of work may be reduced in the case of persons performing work which is particularly difficult with regard to the physical, intellectual or mental effort involved, which is unhealthy or hazardous, or which entails particular constraints.

The types of work falling within the scope of the first paragraph of this article shall be fixed by decree.

The reduction in the hours of work, as provided for in the first paragraph of this article, may consist of a reduction in the daily or weekly statutory hours of work or of breaks reckoned as time worked during that period. The reduction may in no circumstances exceed six hours a week.

The model conditions of employment issued for the various sectors of activity shall determine the procedures for implementation of this article.

Article 6: Female workers, other than those performing civilian service, may choose to work part-time.

Article 7: The exact times at which the statutory hours, as provided for under article 2 above are to be worked, shall be determined by the standard conditions of employment for the sector of activity concerned.

Article 8: In the agricultural sector, the hours of work shall be prescribed by law.

Article 9: The weekly hours of work shall be distributed in one of the following ways:

Four working days of nine hours each and a fifth working day of eight hours;

Five working days of eight hours each and a sixth working day of four hours;

Unequal length of working days, limited to a maximum of 10 hours per day.

The weekly hours of work, distributed according to one of the ways mentioned above, may be worked continuously or in shifts.

Workers' representatives shall in all cases participate in the choice of method of distribution.

In cases where the normal working hours correspond to a system of continuous working, the undertaking shall arrange for a half-hour break

to be given near the middle of the working day; this break shall be reckoned as time worked for the purpose of determining the actual hours of work.

Article 10: As a general rule, the working day shall be between 5 a.m. and 9 p.m.

Nevertheless, for certain activities, the working day may extend beyond 9 p.m., in which case the provisions relating to night work shall apply to any work performed after 9 p.m.

Article 11: Pursuant to the above articles, a basic national work schedule shall be fixed by decree so that rational and harmonious coordination may be ensured between the country's various economic activities and social and cultural requirements, due regard being had for the geographical area in which the work is being performed, the conditions of production, the supply of goods and services to the public, and transport and other features of working life, including team work.

Article 12: In accordance with article 68 of Act No. 78-12 of 5 August 1978 making general provision for workers' conditions of employment, the time between the beginning and the end of the working day, including rest breaks, shall not exceed 12 hours for any worker.

Overtime worked in accordance with the provisions of the articles below shall be included within this limit.

Article 13: Any work performed between 9 p.m. and 5 a.m. shall be considered to be night work.

Article 14: No night work may be performed by workers, of either sex, under 19 years of age.

Article 15: Night work shall be prohibited for women over 19 years of age except in certain production and service units or other posts which shall be fixed by decree.

Article 16: The undertaking may have recourse to night work after consultation with workers' representatives.

The undertaking is required to declare such work to the local office of the Labour Inspectorate.

Article 17: In accordance with the provisions of article 153 of Act No. 78-12 of 5 August 1978, making general provision for workers' conditions of employment, the undertaking may have recourse to work in successive shifts.

Article 18: Authorization to perform overtime work is required in accordance with the provisions of articles 69 and 70 of Act No. 78-12 making general provision for workers' conditions of employment.

Such authorization shall be granted by the local office of the Labour Inspectorate in respect of the first four hours of overtime work per week, and may not extend beyond a period of six months.

Beyond this limit, authorization shall be granted by the Labour Minister following an inquiry by the local office of the Labour Inspectorate.

Recourse to overtime may not, in any circumstances, be had without prior consultation with workers' representatives.

The sectors of activity which are not subject to the two authorizations referred to above shall be defined by decree.

Article 19: Notwithstanding the provisions of article 18 above, recourse may be had to overtime without authorization in the case of:

Certain types of work whose interruption may, because of the nature of that work, cause serious damage in the course of the execution of works or projects;

Work performed by workers either individually or collectively and which is of an unforeseeable, exceptional and limited nature.

The undertaking is required to inform the local office of the Labour Inspectorate within 48 hours following the commencement of the work performed.

Work performed under these conditions shall be subject to the provisions relating to overtime.

Article 20: The number of overtime hours worked by a worker may not exceed the limit fixed by the standard conditions of employment for the sector of activity concerned.

Article 21: Every worker, except in cases of force majeure, shall be required to work overtime within the limits of the provisions of this Act."

Article 8

Right to form trade unions and to join the trade union of one's choice

75. Article 53 of the Algerian Constitution extends the right to organize to all citizens, stipulating: "All citizens shall have the right to organize". Article 39 provides that "The freedoms of expression, association and assembly are guaranteed".

76. Act No. 90-14 of 2 June 1990 relating to procedures for the exercise of the right to organize reaffirms the principles embodied in the Constitution and ILO Conventions Nos. 87 and 98, and guarantees to both workers and employers the right freely to form associations for the purpose of defending their occupational interests. This Act governs the establishment,

organization, functioning, intervention and resource management of workers' and employers' associations. It protects the exercise of the right to organize, ensures its independence, and incorporates the provisions of Convention No. 98 on the right to organize and collective bargaining. Since the promulgation of the aforementioned instruments, numerous independent trade union organizations for workers and employers have been formed.

77. Act No. 90-14 of 2 June 1990 relating to procedures for the exercise of the right to organize contains the following provisions:

> "Article 2: Workers and employers in the same occupations, trades or sectors of economic activity shall have the right to set up trade unions for the purpose of defending their material and moral interests.
>
> Article 3: Accordingly, workers and employers shall have the right to establish such trade unions, or to join existing trade unions, freely and voluntarily, conditional only on their conformity with the laws and regulations in force and with the statutes of the said trade unions.
>
> Article 12: The rights and obligations of the members of a trade union shall be determined by the laws and regulations in force and by the statutes of the union itself.
>
> Article 22: Trade unions shall not include in their statutes or practise any form of discrimination among their members likely to interfere with their fundamental rights.
>
> Article 63: Workers engaged in national defence and security shall be governed by separate provisions."

Right of trade unions to establish national federations or confederations, and to form or join international trade-union organizations

78. Under Algerian legislation, trade unions have the right to join international, continental and regional trade union organizations pursuing the same or similar aims (Act No. 90-14, art. 18). Trade union associations, federations and confederations are subject to the same provisions as those applying to trade unions (ibid., art. 4).

Right of trade unions to function freely

79. This right is also protected by Act No. 90-14 of 2 June 1990 relating to procedures for the exercise of the right to organize:

> "Article 5: Trade unions shall, in their object, appellation and operation, be distinct from associations of a political nature and shall neither entertain any substantive or structural relations with them nor receive subsidies, donations or bequests of any description from them, nor yet contribute to their finances.
>
> However, members of a trade union shall be free individually to join associations of a political nature.

Article 15: Except in cases expressly provided for by law, no natural or legal person shall interfere in the functioning of a trade union organization.

Article 16: A trade union shall acquire legal personality and civil law status as from the date of its establishment in conformity with article 8 above and shall thus be entitled to:

Go to law and exercise before the competent courts the rights reserved to the plaintiff in a civil action on grounds pertaining to its objects, where injury has been done to the individual or collective, moral or material interests of its members;

Represent the workers before all public authorities;

Enter into any contract, agreement or accord on matters pertaining to its objects.

Article 19: Subject to the laws and regulations in force, trade unions shall have the right to publish and circulate bulletins, reviews, newsletters and brochures relating to their objects.

Article 30: A request for judicial dissolution of a trade union may be submitted to the competent legal authority where the union carries on activities other than those provided for in its statutes or in violation of the laws and regulations in force."

Exercise of the right to strike

80. Article 54 of the Constitution recognizes the right to strike, within the framework laid down by national legislation.

81. Act No. 90-02 of 6 February 1990, relating to the prevention and settlement of collective labour disputes and exercise of the right to strike, defines procedures and methods for the exercise of the right to strike as laid down in the Constitution and in ILO Convention No. 87 (Freedom of Association and Protection of the Right to Organize). It institutes the requirement of prior approval by the collective organization of workers concerned by strike action. It introduces the requirement of prior notice and sets forth a number of principles providing guarantees relating to exercise of the right to strike, the settlement of strikes and labour freedoms:

"Article 24: The right of workers to strike shall be exercised under the conditions and according to the procedures defined by the provisions of this Act.

Article 32: The right to strike in accordance with the provisions of this Act is protected by law. A strike begun under such conditions shall not sever the labour relationship.

Article 33: Except in the case of requisitions ordered by the administrative authorities or refusal of workers to fulfil obligations to provide the minimum service referred to in articles 39 and 40 below, workers may not be recruited or in any other way assigned to replace workers on strike.

Likewise, no penalty may be imposed on workers for having participated in a strike conducted in accordance with the conditions set forth in this Act.

Article 37: When the strike involves activities whose complete interruption is liable to jeopardize the continuity of essential public services, vital economic activities, the provision of supplies to the public or the protection of existing facilities and property, the continued operation of indispensable activities shall be organized in the form of a mandatory minimum service or on the basis of negotiations, conventions or agreements as laid down in articles 38 and 39 below.

Article 39: Without prejudice to the provisions of article 38, minimum service shall be specified for areas of activity covered in a convention or collective agreement.

Where minimum service has not been designated, the employer or administrative authority concerned shall specify, after consultation with workers' representatives, the areas of activity in which minimum service shall be provided and the workers absolutely indispensable for those areas.

Article 40: Refusal by a worker to provide the minimum service incumbent upon him shall constitute a serious misdemeanour.

Article 41: In conformity with the legislation in force, conscription may be ordered in respect of those striking workers who, in public institutions or departments or in enterprises, hold positions essential for the safety of individuals, installations or property, or for the continuity of public services necessary for meeting the country's vital needs, or individuals who perform activities essential for public supply.

Article 42: Without prejudice to the penalties laid down in the Penal Code, refusal to carry out a conscription order shall constitute a serious misdemeanour.

Article 43: Strike action shall be prohibited in essential areas of activity whose interruption could endanger the life, safety or health of citizens or is liable to cause a serious economic crisis.

Accordingly, the following may not engage in strike action:

1. Judges;

2. Government officials appointed by decree or serving abroad;

3. Members of the security forces;

4. Members of the civil defence forces;

5. Employees of the national communications networks of the Ministries of the Interior and Foreign Affairs;

6. Customs officials;

7. Staff of the external services of the prison administration.

Article 49: The National Arbitration Commission has competence to deal with collective labour disputes:

Involving individuals forbidden to take strike action;

Submitted to it under the conditions stipulated in article 48 of the present Act.

In the event of the continuation of a strike and the failure of mediation, this Commission will be consulted when pressing economic or social needs so require (art. 48)."

Article 9

82. While article 56 of the Constitution provides that "The living conditions of citizens who cannot work yet, can no longer work or will never be able to work are guaranteed", article 9 of Act No. 78-12 of 5 August 1978 deals with the question of social welfare in the following terms: "the State shall guarantee social protection for every worker and the dependent members of his family against the contingencies of old age, sickness, accident and death". The same Act later states:

"Article 187: All workers shall be entitled to social security coverage. Provision for the unification of the various social security schemes and the standardization of the various social security benefits shall be made by law for all workers.

Article 188: Provision shall be made by labour law to guarantee a decent standard of living commensurate with a worker's income whenever he is either temporarily or permanently unable to work on account of a duly confirmed accident or illness.

Article 189: Where a worker is disabled, he shall be entitled to a pension as provided in articles 190 and 191.

He shall also be entitled to vocational rehabilitation preparing him, wherever possible, for a resumption of his previous activity or, if this is not possible, for the performance of some other activity suited to his aptitudes and skills.

Provision shall be made by decree for the measures to be taken to facilitate a disabled worker's resettlement in appropriate employment.

Article 190: Provision shall be made in regulations for the conditions and procedures to be observed by undertakings in giving effect to the basic lines of policy laid down in the National Charter and to the relevant legislation in connection with the provision of social protection for workers and the members of their families adversely affected by the contingencies of life.

Article 191: Provision shall be made by law to define the temporary or permanent effects on a worker's remuneration of sickness, accident and consequent disability.

Provision shall likewise be made by law for the procedures to be followed by a worker when claiming his entitlements.

Article 192: The age of retirement shall be fixed for each sector of activity. It may be postponed if necessary in the interests of the undertaking and subject to the worker's consent.

The conditions and procedures for retirement shall be laid down by law.

Article 193: Every worker shall be required to pay retirement contributions throughout his working life.

An undertaking shall also pay a share towards its workers' retirement.

Article 194: The rate of retirement contributions shall be fixed by law.

Article 195: The level of a retirement pension shall depend on the beneficiary's wage before his retirement and his number of years of service.

Where the number of years of service reaches a level to be prescribed by law, the retirement pension shall not differ from the wage received by the worker for his job at the time of his retirement, less such elements of the wage as are referred to in the third and fourth clauses of article 146.

In no circumstances shall the level of a retirement pension be less than the national guaranteed minimum wage.

Retirement pensions shall be adjusted to take account of wage trends, with the object of maintaining the pensioner's purchasing power.

Article 196: In the event of a worker's death the persons legally dependent on him shall be guaranteed a pension, except in cases where overlapping entitlements occur that are prohibited by regulations.

Where a worker dies during the performance of his duties, the members of his family who were legally dependent on him shall be guaranteed a pension assuring them of a decent standard of living commensurate with the wage for the worker's job on the date of his death.

This pension shall be adjusted to take account of wage trends, with the object of maintaining the purchasing power of the members of the worker's family who were legally dependent on him.

Article 197: Retirement and disability pensions shall be transmissible to survivors, subject to the conditions laid down by law.

Article 198: In addition to the rights provided for in article 46, the State shall guarantee protection for all the rights enjoyed by ex-servicemen and their dependants.

The law shall likewise guarantee a decent and worthy life for ex-servicemen who are disabled or no longer able to work and for the survivors of war victims.

Ex-servicemen shall enjoy specific rights in matters of retirement.

Ex-servicemen and their dependants shall continue to be subject to the legislation applicable to them."

83. We should mention that the celebration of the thirtieth anniversary of Algeria's independence provided the opportunity for revision of the disability pensions of members of the National Liberation Army and of the National Liberation Front War Victims Office whose disability is equivalent to or more than 85 per cent.

84. Act No. 91-26 of 18 December 1991 establishing the National Plan for 1992 incorporates among its general objectives and priorities "the implementation of measures to consolidate the social security system aiming at the transparency of its functioning and the rationalization of its administration".

85. In 1963 and 1985 a number of laws were enacted for the purpose of strengthening and standardizing the social security system. There are two social security institutions: the National Fund for Social Insurance against Work-related Accidents and Diseases (CNASAT) and the National Retirement Fund (CNR).

86. In terms of contributions, it should be noted that Executive Decree No. 91-56 of 23 September 1991, which amends and supplements Decree No. 85-30 of 9 February 1985, establishes the rates of social security contributions as follows:

(a) Social security: 14 per cent, 12.5 per cent to be paid by the employer and 1.5 per cent by the beneficiary;

(b) Retirement: 11 per cent, 7.5 per cent to be paid by the employer and 3.5 per cent by the beneficiary;

(c) Industrial accidents: 1 per cent, to be paid solely by the employer;

(d) Family benefits: 3 per cent, to be paid solely by the employer.

87. Act No. 87-18 of 1 August 1987 relating to mutual benefit societies provides as follows:

"Article 2: The mutual benefit movement is an institution which, in return for the payment of contributions, provides social benefits for its members who are grouped in mutual benefit organizations hereinafter referred to as 'mutual benefit societies'.

Article 18: In their statutes the mutual benefit societies shall provide for at least one of the following collective benefits and services:

Social action on behalf of disabled members and dependants;

Action taken in accordance with the laws and regulations in force in the field of health benefits.

Article 38: Contributions shall be assessed, as appropriate, on the basis of:

The wages of a worker required to pay social security contributions;

The income of a non-employee required to pay social security contributions;

The pension or annuity paid by social security or the State.

Article 39: The contribution rate shall be fixed by the statutes of the mutual benefit society and may not exceed 1.5 per cent of the basis of assessment of the contribution ...".

88. The Social Insurance Act (No. 83-11) of 2 July 1983 provides for:

(a) The institution of a single social insurance scheme (art. 1);

(b) Comprehensive social coverage of the following risks: sickness, maternity, disability, death (art. 2);

(c) The provisions of the Act apply to all workers, irrespective of the sector, public or private, to which they belong (art. 3);

(d) Insurance shall be compulsory for all workers, whether or not employees, working in Algeria, irrespective of nationality (art. 6).

Sickness insurance

89. According to article 7 of the above-mentioned Act, benefits under sickness insurance include:

(a) Benefits in kind: Coverage of preventive and curative health care for the insured person and his dependants, for an unlimited duration (art. 12);

(b) Benefits in cash: Payment of a daily allowance to a worker who is obliged to stop working temporarily owing to illness. According to article 14, the daily allowance for physical or mental incapacity is determined as 50 per cent of the daily wage from the first to the fifteenth day following interruption of work and 100 per cent of that wage from the sixteenth day. In the event of a long-term illness or hospitalization, the rate of 100 per cent applies from the first day. The maximum duration is three years.

90. According to article 21, daily allowances are revised to take into account any changes in the worker's wage.

91. The question of maternity insurance is dealt with in the part of this report devoted to article 10, paragraph 2, of the Covenant.

Disability insurance

92. The purpose of disability insurance is to provide a pension to an insured person who is obliged to stop working owing to disability (art. 31).

93. An insured person is entitled to a disability pension if he submits proof of disability reducing his working or earning capacity by one half or more (art. 32).

94. At the end of the period in which cash benefits under sickness insurance have been paid (three years), the social security institution automatically checks whether the person concerned is entitled to benefit under disability insurance, without waiting for him to claim such entitlement (art. 35).

95. The yearly amount of the pension is calculated as follows:

(a) Sixty per cent of the last yearly wage received or, if it is more favourable, the average yearly wage for the three years in which the person concerned received the highest remuneration of his career, when the disabled person is still able to engage in a gainful activity (art. 37);

(b) Eighty per cent of the wage defined in article 37, when the disabled person is totally unable to engage in a gainful activity (art. 38);

(c) Eighty per cent of the wage defined in article 37 plus 40 per cent, when the disabled person, in addition to being totally unable to engage in a gainful activity, also requires the assistance of another person (art. 39).

96. The spouse, children and ascendants who are dependent on a recipient of a disability pension shall be entitled to a reversionary disability pension granted under the same conditions as the pensions for dependants under retirement insurance (art. 40) (see chapter concerning the retirement pension).

97. At the age of retirement, the disability pension is replaced by a retirement pension of at least the same amount (art. 46). Disability pensions follow the trend of the basic wage of workers and, in any event, the trend of the guaranteed minimum wage (arts. 41 and 42).

Survivors' insurance

98. The purpose of survivors' insurance is to grant a survivors' allowance to the dependants of an insured person. The amount of the allowance is fixed at 12 times the amount of the insured's last monthly wage and, in any event, must be at least equal to 12 times the monthly amount of the guaranteed minimum wage (art. 48).

99. The dependants of the recipient of a disability, retirement or work-related accident pension are entitled to a survivors' allowance amounting to the yearly disability, retirement or work-related accident pension (art. 51).

100. Expenses under social insurance are financed by a compulsory contribution share to be paid by employers and beneficiaries (art. 72).

101. The following are exempt from payment of contributions: ex-servicemen, persons entitled to pensions (disability, retirement, compensation for work-related accident or occupational disease) and students (art. 73).

102. The social security institutions may not argue from failure on the part of employers to fulfil their obligations in order to refuse to grant benefits to the insured. They are obliged to pay benefits and to claim their due subsequently from the employer (art. 85).

103. An assistance and relief fund financed by part of the social security contributions has been set up for persons who do not meet the conditions of entitlement to social insurance benefits and for persons on low incomes (art. 90).

104. Supplements to the benefits provided for by Act No. 83-11 of 2 July 1983 may be granted in the form of voluntary insurance in mutual benefit societies (art. 91).

105. The social security institutions undertake activities in the form of health and social work to provide collective benefits for workers and their dependants.

106. Article 3 of Act No. 83-16 of 2 July 1983 states:

"The social work equalization fund has the following principal objectives:

To help eliminate the various disparities in social projects through the implementation of the agreed social and cultural policy with a view to achieving an equitable distribution of social work;

To develop complete solidarity between workers in all sectors of activity."

Retirement

107. Act No. 83-12 of 2 July 1983 provides:

(a) For the institution of a single retirement scheme (art. 1);

(b) That the retirement pension shall consist of a lifelong personal financial benefit (art. 3);

(c) That beneficiaries shall be all Algerian workers, whether or not they are employees, and irrespective of the sector in which they work (art. 4);

(d) That the retirement pension shall include the following (art. 5):

(i) A direct pension in respect of the worker's own activity, which shall be increased for a dependent spouse;

(ii) Reversionary pensions including: a widow or widower's pension; an orphan's pension; an ascendant's pension.

108. According to article 6 of this Act, to be entitled to a direct pension a worker must:

(a) Be aged at least 60 years (for men);

(b) Be aged at least 55 years (for women);

(c) Have worked for at least 15 years, during at least half of which the worker must have actually worked and paid social security contributions.

109. Workers employed in particularly unhealthy conditions are entitled to draw a pension before the age specified in article 6 (art. 7).

110. For working women who have raised one or more children over a period of at least nine years, the age of retirement shall be lowered by one year for each child up to a maximum of three years (art. 8).

111. The age requirements are waived in the case of workers suffering from total and irreversible incapacity for work who do not meet the conditions of entitlement to a disability pension (art. 9).

112. In the event of the death of a pensioner or worker, each of his dependants shall be entitled to a reversionary pension (art. 30).

113. According to article 31, the following persons are considered to be dependent: the spouse; children below the age of 21 years if following a course of study or vocational training; dependent ascendants.

114. The amount of the pension shall be fixed according to article 34, as follows:

(a) Seventy-five per cent of the deceased's pension for a surviving spouse without children or ascendants;

(b) Fifty per cent of the deceased's pension where there is one other dependant, who then receives 30 per cent of the deceased's pension.

Where there are two or more dependants, the spouse is entitled to 50 per cent of the pension, 40 per cent being divided equally among the other dependants. Where there is no spouse, the dependants share a pension equal to 90 per cent of the deceased's pension.

115. The wages used as a basis for calculating pensions, together with pensions which are already being paid are revised with each change in the workers' basic wage, which may not be less than the guaranteed minimum wage (art. 43).

116. Expenses related to retirement pensions are financed by the social security institution by means of a compulsory contribution payable by employers and beneficiaries (art. 48).

Work-related accidents and diseases

117. Act No. 83-13 of 2 July 1983 concerning work-related accidents and diseases institutes a single scheme of benefits for such accidents and diseases (art. 1). Beneficiaries are:

(a) Any worker who suffers a work-related accident or disease, irrespective of the sector in which he works (arts. 3, 4, 7 and 8);

(b) Any worker covered by social insurance;

(c) Students of technical and vocational teaching establishments;

(d) Persons following a functional re-education or vocational readaptation course;

(e) Volunteer participants in the work of social security institutions;

(f) Wards of the youth protection system in the case of accidents occurring during special work;

(g) Detainees performing jobs while serving their sentence;

(h) Students;

(i) Victims of an accident that occurred during the following:

(i) Assignment outside their place of work, on instructions from their employer;

(ii) The exercise of a political electoral mandate;

(iii) Studies regularly attended outside working hours;

(iv) Acts and activities ordered and organized by professional associations;

(v) Sports activities organized by associations;

(vi) A selfless act in the public interest or to rescue a person in danger.

118. If the employer fails to do so, it is possible for the declaration to the social security institution to be made by the victim, persons entitled to act on his behalf, the trade union organization or the Labour Inspectorate (art. 14).

119. In the event of temporary incapacity, the following provisions are applicable:

(a) Article 28 - benefits in kind: temporary incapacity benefits are identical to those provided under social insurance;

(b) Article 37 - daily allowances: conditions for payment are the same as those for the sickness allowance.

120. In case of permanent incapacity, articles 38 to 47 provide that the victim is entitled to an income calculated on the basis of his or her average reference wage over the past 12 months, and of the work incapacity rate duly established by the social security institution's medical adviser, increased by between 1 and 10 per cent as a social adjustment designed to take account of the age, skills, vocational qualifications, and family and social situation of the victim. The minimum incapacity rate is 10 per cent. The amount of the income is equal to the reference wage multiplied by the incapacity rate. That amount is increased by 40 per cent if the victim needs the assistance of a third party in order to perform everyday acts.

121. In the event of death, articles 52 to 57 provide that dependants shall receive an income in accordance with the terms laid down by the Retirement Pensions Act (No. 83-12), of 2 July 1983.

122. The benefits are financed exclusively through a contribution paid in full by the employer (art. 76).

Article 10

123. The definition of the family used in Algeria, like that contained in the Covenants, makes the family the basic unit of society and, as such, deserving of special attention. This concept is set forth in article 2 of the Family Code (Act No. 84-11) of 9 June 1984, which reads: "The family is the basic cell of society, and is made up of persons united by bonds of marriage and consanguinity."

124. A number of legislative acts guarantee the protection of the family.

125. The Constitution refers to it in these terms: "The family shall receive the protection of the State and society." Similarly, article 60 of the Constitution provides that "All the freedoms of each individual shall be exercised with due regard for the rights conferred on others by the Constitution, particularly the right to honour, privacy, and protection of the family, young persons and children." Article 62 provides that "The duty of parents with regard to the upbringing and protection of their children, and the duty of children to aid and assist their parents, shall be sanctioned by law."

126. Mention should be made of the following provisions of Act No. 78-12 of 5 August 1978 making general provision for workers' conditions of employment:

> "Article 9: In accordance with the principles laid down by the National Charter in connection with the social protection of workers, the State shall guarantee social protection for every worker and the dependent members of his family against the contingencies of old age, sickness, accident and death.
>
> Article 180: The purpose of welfare schemes is to help to improve the standard of living of the workers and their families and to contribute to the development of their personalities by:
>
> Facilitating their daily lives;
>
> Improving their physical and moral well-being by supplementing their remuneration in the form of health, housing and cultural and recreational benefits."

127. Reference should also be made to the Health Protection and Promotion Act No. 85-05 of 16 February 1985. Article 67 of this Act provides that "The family shall enjoy medical protection in order to safeguard and promote conditions conducive to the health and psychological and emotional well-being of its members".

128. The right of men and women freely to enter into marriage and found a family is explicitly recognized in Algeria. Act No. 84-11 of 9 June 1984 establishing the Family Code refers to this important issue in the following terms:

"Article 4: Marriage is a contract legally entered into between a man and a woman. The aims of marriage include founding a family based on mutual affection and support, providing moral protection for both spouses and preserving family ties.

Article 7: Marriageable age is considered to be 21 years in the case of men and 18 years in the case of women. However, the judge may waive the age requirement if special reasons exist or in cases of necessity.

Article 9: Marriage is entered into through the consent of the intending spouses in the presence of the matrimonial guardian and two witnesses, and through the provision of a dowry.

Article 10: Consent derives from a request by one of the parties and its acceptance by the other, expressed in any language signifying lawful marriage. A request and consent expressed by a disabled person in any written form or by gesture which signifies marriage in language or custom shall be deemed valid.

Article 12: The matrimonial guardian may not prevent the woman under his supervision from entering into marriage if she so desires and if it is to her advantage. In the event of disagreement, the judge may authorize the marriage, subject to the provisions of article 9 of this Act ... .

Article 13: The matrimonial guardian, whether he is the father or some other person, is forbidden to force a woman under his supervision to marry or to cause her to marry against her will."

129. Article 32, which deals with cases of annulment of marriage, stipulates: "The marriage shall be null and void if any of its constituent elements are vitiated".

130. The mutual obligations of the spouses are spelt out in article 36 of the Family Code:

"Article 36: The following are the spouses' obligations:

(1) To safeguard the bonds of marriage and the duties of a shared life;

(2) To contribute jointly to the safeguarding of the family's interest and the protection and sound upbringing of the children;

(3) To safeguard the bonds of consanguinity and good relations with relatives and close friends."

131. Divorce is the dissolution of the marriage. It is effected at the behest of the husband, by mutual consent of both spouses, or at the request of the wife within the limits set forth in articles 53 and 54 (art. 48). The cases

covered in the above-mentioned articles refer, in particular, to failure to pay maintenance, a disability preventing attainment of the intended purpose of marriage or the sentencing of the husband to a penalty that would bring dishonour on the family and make any resumption of marital life impossible.

132. Article 49 provides: "Divorce may be effected only by a decree preceded by an attempt by the judge to secure reconciliation, such attempt shall not exceed a period of three months".

133. Article 52 covers cases of abuse of the husband's divorce prerogative and provides that a wife thus injured shall be entitled to damages for the injury suffered.

134. In connection with protection of children, it should be noted that under the Algerian Civil Code, article 20, paragraph 2, the age of majority is set at 19 years. The Algerian legislature has devoted numerous articles to the protection of children in the framework of the family and in cases of dissolution of marriage. Thus their protection, their right to maintenance and education, and, generally speaking, the consideration of all their interests are requirements laid down in the Family Code.

135. The special protection of mothers is provided for in numerous legal instruments. For example, Act No. 78-12 of 5 August 1978 deals with women who work in the following terms:

> "Article 12: Protection for the specific rights enjoyed by women in connection with their work shall be guaranteed in accordance with the legislation currently in force."

136. As for protection of women in the event of maternity, article 23 of Act No. 83-11 of 2 July 1983 provides that maternity insurance benefits shall comprise:

(a) Benefits in kind: coverage of expenses arising out of pregnancy, confinement and their sequelae;

(b) Cash benefits: payment of a daily allowance to working women obliged to interrupt their work owing to maternity.

137. According to article 26, expenses relating to maternity insurance are reimbursed under the following conditions:

(a) Medical and pharmaceutical expenses reimbursed at the rate of 100 per cent;

(b) The cost of hospitalization of mother and child reimbursed at the same rate of 100 per cent for a period of eight days.

138. The daily allowance amounts to 100 per cent of the daily wage earned (art. 28). The daily allowance is payable for a period of 14 consecutive weeks, and the woman must stop working not less than one week before confinement (art. 29).

139. Protection of children and adolescents is provided for, in particular, in Act No. 78-12 of 5 May 1978, which stipulates:

"Article 44: The minimum age for recruitment shall be fixed in the specific conditions of employment applied in the relevant undertaking. In no circumstances may the minimum age be less than 16 years. Young workers between the age of 16 years and their majority in civil law shall have the same rights and obligations as workers holding the same jobs.

The conditions of employment of juveniles are governed by the legislation in force.

Article 183: Family allowances received on the date of promulgation of the legislation establishing a national childrens fund shall continue to be paid until the beneficiaries cease to be entitled to them. A national childrens fund shall be set up by law.

It shall be financed, inter alia, out of the sums represented by the family allowances payable in respect of children born after the date on which the fund is established.

The purpose of the fund shall be to assume responsibility for the most pressing needs of children."

140. Act No. 88-07 relating to occupational health and safety states in article 11:

"Further to the legislative provisions in force, the employer shall ensure that work given to women, juveniles or disabled persons does not require an effort exceeding their physical ability."

The consequent regulations provided for in article 17 of Act No. 88-07 are in the process of adoption and measures are being considered to permit the application of the following principles:

Prohibition of the employment of children or adolescents aged under 18 years unless they have been recognized as fit for the work to be performed;

Medical examination of fitness for employment, which shall be conducted by a physician approved by the competent authority, and determination of the conditions for the issuance of a fitness certificate;

Medical supervision up to the age of 18 years;

Annual medical examinations up to the age of 21 years for work entailing a heightened risk to health;

The medical examinations shall not entail any cost to the child or adolescent, or to his parents;

Identification measures to monitor the system of medical fitness examinations for children and adolescents working on their own account or for their parents, as itinerant traders or in any other occupation exercised on a public thoroughfare or in a public place.

141. Ordinance No. 72-3 of 10 February 1972 relating to the protection of children and adolescents states in article 1:

"Persons under the age of 21 years whose health, safety, morals or education are at risk or whose conditions or way of life could jeopardize their future may be the object of protective measures or educational assistance under the conditions provided for in the following articles."

142. The Health Protection and Promotion Act (No. 85-05) of 16 February 1985, as amended and supplemented by Act No. 90-17 of 31 July 1990, contains the following provisions:

"Article 206-3: Practitioners shall report any cases of maltreatment of under-aged children or persons deprived of their liberty which have come to their attention in the exercise of their professional activities.

Article 104: Hospital and out-patient departments shall be made available for the prevention, screening, treatment or care of children or adolescents of either sex, aged under 16 years whose mental disorders or disabilities constitute their sole or main illness."

Article 11

143. The realization of the right to an adequate standard of living is one of the priorities established by Algeria.

144. Thus, Act No. 91-26 of 18 December 1991 establishing the national plan for 1992 includes the following objectives:

(a) Stimulating economic growth, in particular by revitalizing and mobilizing productive investment;

(b) Achieving greater social justice, in particular by protecting the purchasing power of disadvantaged social groups and promoting more effective national solidarity and social welfare measures;

(c) Safeguarding all current employment and promoting training and retraining schemes based on improved knowledge of the labour market;

(d) Maintaining and consolidating social welfare arrangements to benefit households with little or no income;

(e) Reactivating public works programmes, particularly in priority sectors which determine the development of productive activities and the supply of peoples' social needs.

145. Furthermore, the Wilaya Act (No. 90-09) of 7 April 1990 states that the wilaya people's assembly has general competence with regard to economic, social and cultural development measures (art. 58); it also participates, in conjunction with the communal people's assemblies, in social measures to assist children, disabled persons, the elderly and the needy, and provides care for the homeless and mentally ill (art. 77).

146. With regard to individual standards of living, it may be noted that the middle class constitutes the overall majority in Algeria and hence the population's standard of living is, generally speaking, in the median range. However, it should be pointed out that the GDP - which was slightly above US$ 2,000 in 1990 - fell sharply in 1991, largely because of the depreciation of the Algerian dinar, and is now about US$ 1,400 per capita.

147. The right to a balanced and adequate diet is reflected in national economic policy. Basic products and staple foods, such as milk, sugar, flour and oil are therefore subsidized by the State. In addition, Algeria imports 40 billion dinars' worth of food products annually to supplement national production.

148. With a view to improving standards of living, the State has also recently launched several initiatives in the area of agricultural development, namely:

(a) Creation of a National Agricultural Development Fund;

(b) Development of land in the southern regions;

(c) A "jobs for young people" programme (poultry farming, apiculture, etc.);

(d) Development of water engineering schemes in rural areas to improve water supply, promote food crops, establish free-range stock raising, etc.;

(e) Development of storage capacity for agricultural products.

149. On the question of nutrition and food in Algeria, it should be noted that the situation evolved in three stages between 1962 and 1991.

150. The first period was a phase of major investment, reaching 40 per cent of the gross national product. During this period, the population increased and became urbanized, changing its eating habits and improving its nutrition.

151. During the second period, maintaining nutritional and food levels necessitated an increase in imports both in volume terms, in order to keep pace with population growth, and also in percentage terms, owing to the decline in resources from oil exports, combined with the effects of the external debt structure and debt-servicing requirements.

152. Since 1989 this stabilization has shown a downward trend because of the economic crisis at both national and international levels. This recession has diminished the resources available to the State and to households, with the result that there has been some deterioration of nutritional and food levels.

153. The negative impact on the nutritional status of the population can be readily appreciated from the following summary of available statistics on the composition of the food intake and its variations over the last 20 years.

154. The average caloric level remained at 2,700 kcal/day during the 1970s and increased to 2,853 kcal/day in 1988. The structure of this daily calorie intake is characterized by:

(a) An increase in lipid calories, which rose from 14 per cent to 20 per cent of the energy intake between 1960 and 1980 and represented 20.2 per cent in 1988, thus reaching the lower limit of the recommended standards;

(b) A decrease in carbohydrate calories, which in 1988 were still 10 per cent above the recommended level;

(c) Stability, in quantitative terms, of protein calories, representing 12 per cent of the food intake but with a tendency towards animal proteins, which increased from 4.4 per cent in 1968 to 7.8 per cent in 1988.

155. It can therefore be seen that the caloric intake increased between 1967 and 1988 and tended to become more balanced.

156. On the question of protein-energy malnutrition, it should be noted that occasional surveys during the 1960s reported malnutrition in up to 60 per cent of children, and a national survey in 1975 showed that 28.5 per cent of children under five years of age had a weight that was less than the third percentile of the Harvard curves. This figure subsequently decreased to 11.2 per cent for the same age group in 1987. Serious cases of malnutrition decreased from 2.5 per cent to 1.2 per cent and cases of retarded growth from 45.9 per cent to 16.5 per cent (see Algeria's report to the Maghreb medical congress, Algiers, 1975, and the FAO seminar on nutritional status and urbanization, Rabat, 1989).

157. These nutritional surveys also revealed the same geographical variations over a 12-year period: i.e., cases of malnutrition were more frequent in the south than in the north and were most prevalent in medium-sized towns and, to a lesser extent, in regional urban centres, with rural areas being the least affected.

158. Unemployment and low income, illiteracy or low educational attainment of the mother and a fragile habitat are risk factors. Exclusive breast-feeding for long periods in 50 per cent of infants aged six to nine months, as observed in the 1987 survey, is also a contributory factor.

159. The question of nutritional needs cannot be dissociated from that of population growth. Thus, for two decades, the growth rate exceeded 3 per cent, the population increasing from 12 million in 1966 to 23 million in 1987. However, between 1986 and 1990, the growth rate dropped from 3.1 per cent to 2.5 per cent. This rate is expected to be maintained up to the year 2000, by which time the population will be 33 million; it will have reached nearly 50 million by the year 2025.

160. The consequences of this population growth have been a decrease in the cultivated area per capita (0.75 ha/inhabitant in 1962, 0.29 ha/inhabitant in 1990), ever greater recourse to food imports (nearly 25 per cent of all imports in 1987) and a sharp decrease in subsistence consumption owing to the higher rate of urbanization.

161. The food intake has improved steadily up to the present. Local production is generally adequate to meet needs for white meat, eggs, potatoes, fresh vegetables and fruit, but supplying other needs involves substantial recourse to imports: 60 per cent for cereals and cereal products, 75 per cent for dried vegetables, 95 per cent for oils and fats, 100 per cent for sugar and 65 per cent for milk, dairy products and red meat. Algeria is therefore heavily dependent for its national diet on the organization of its agriculture, on weather conditions and on financial provisions.

162. National Statistics Office surveys of household consumption and expenditure in 1967-1968 (Algiers, 1971), 1979-1980 (Algiers, 1982) and 1988 (Algiers, 1991) show that expenditures on food represented a major part of household budgets (56 per cent in 1979-1980 and 55 per cent in 1988).

163. In terms of average consumption, the Algerian diet is based on cereals (185 kg per year) and fresh vegetables, including potatoes (113.7 kg per year), followed by milk (70 litres per year), fruit (30.5 kg per year), oils and fats (15.8 kg per year), meat (18.5 kg per year) and sugar (18.4 kg per year). Country-dwellers eat more cereals than town-dwellers and, as compared with town-dwellers, country-dwellers spend a slightly smaller proportion of their budget on food.

164. These figures are attributable, on the one hand, to the subsidizing of the prices of basic foodstuffs (cereals and derivatives, sugar, milk, dried vegetables, oils and fats) and, on the other hand, to the fact that the prices of non-food products have also been reasonable (pharmaceuticals, transport, school supplies, household appliances) or stabilized (energy, rents) while health and education are free. Food has been made more affordable by the policy of subsidizing the prices of essentials from a compensatory fund, which was used exclusively for that purpose up to 1989. Since 1989, some of the resources of this fund have been diverted to guaranteeing agricultural production; at present, in view of the scarcity of resources and the fall in the exchange rate, it is intended to set up machinery to target this support on the most disadvantaged social groups.

165. So far, it has not been possible to implement the right to housing as extensively as the Algerian State would have wished, despite the efforts made to that end. The housing shortage persists, mainly because of the lack of resources, the deterioration of the financial situation and population growth. New measures are currently being introduced to make up the shortfall (housing promotion, self-help housing, etc.).

166. The State is continuing to finance social housing for low-income families. The housing promotion and self-help housing schemes are being financed by the Caisse Nationale d'Epargne et de Prévoyance (CNEP), which has the status of a housing bank.

167. Rents are relatively low, particularly in the public sector. Rent policy is being reconsidered with a view to providing personalized assistance.

168. As regards the distribution of housing according to the status of the occupier, up to 1989 so-called social housing represented the greater part of the housing stock. Since 1989, the allocation of this subsidized housing has been more strictly regulated, in the interests of needy families. Moreover, in accordance with the law on the disposal of State property, social housing has been sold to the occupiers on generous terms. Thus, the distribution of housing according to the status of the occupier is now as follows:

Owner or co-owner:	64%
Tenant:	23%
Rent-free (tied housing):	13%

169. The question of vulnerable and disadvantaged groups should be viewed from the perspective of family solidarity, in the broadest sense; in fact, the important role played by the Algerian family conceals the full extent of the phenomenon, since family solidarity affects the conditions of occupation of the housing.

170. In 1988, 273,851 dwellings were listed as illegal structures, of which 113,148 were legalized with or without improvements. Given the extent of the illegal building problem, regulatory measures have been taken to regularize the situation where possible (Decree No. 85-212 of 13 August 1985 determining the conditions of regularization, with respect to their rights of disposal and occupancy, of the situation of the effective occupiers of public or private land subject to title and/or supporting structures not in compliance with the regulations in force).

171. As regards eviction, it should be noted that up to 1988 this practice was almost non-existent. It can now be envisaged but, in every case, must conform to the applicable provisions of the relevant legislation. Only court orders can lead to eviction and, in general, no cases of arbitrary eviction have been recorded. It should be noted that even where there are court orders authorizing eviction, many of these orders are never enforced because of the social considerations involved.

172. Among the measures adopted to give effect to the right to housing, the following deserve mention:

(a) The "enabling strategies" include Act No. 86-07 of 4 March 1986 relating to housing promotion, the aim of which is to develop the national housing stock. These operations are carried out by local authorities, by public or private enterprises and by individuals, either acting alone or organized in housing cooperatives. Similarly, Executive Decree No. 91-148 of 12 May 1991 established a national housing improvement and development agency, whose aims are to promote and develop the property market; to supervise and encourage the progressive elimination of squatter settlements, the renewal and redevelopment of old neighbourhoods, urban redevelopment and the creation of new towns; to devise and popularize innovative building methods; and to compile information and disseminate it as widely as possible among those involved in the property market.

(b) The encouragement of the establishment of housing associations, alongside the traditional channels, and of any other method such as various degrees of prefabrication and the use of local materials.

173. Executive Decree No. 90-405 of 22 December 1990 lays down the rules for the establishment and organization of local urban property management and regulation agencies with general responsibility for purchasing on behalf of the local authority any property or property right intended for urbanization.

174. Every year the Algerian State provides very substantial financial assistance for housing. Thus, during the period 1980-1990 the Government housing programme absorbed more than 90 billion dinars, in the form of either outright assistance from the public treasury or temporary assistance, on very favourable terms.

175. The housing targets set for the periods 1980-1984 and 1985-1989 were slightly exceeded (1,350,000 units delivered as compared with a target of 1,242,000); social housing (665,000 units) made a substantial contribution to this total.

176. Up to 1980, 90 per cent of housing was built by the State. Under the new procedures adopted, the role of the latter is now to support low-income groups; thus, Executive Decree No. 91-146 of 12 May 1991 regulates the support provided by the Caisse Nationale du Logement to facilitate access to home ownership. This support takes the form of financial assistance, an extension of the loan repayment period, and a subsidized interest rate, the benefits varying with family income and the amount of the loan.

177. At the same time, very extensive development programmes financed by the State have resulted in a steady improvement in the provision of mains services. The following statistics derived from the various censuses illustrate this trend:

Service census	Sewage	Drinking water	Electricity	Gas
1966	-	10.5%	30.6%	9.4%
1977	40.3%	46.2%	49.5%	12.8%
1987	52.4%	58.1%	72.7%	21.7%

178. Moreover, within the context of the current political and economic reforms, a new housing policy has been introduced with a view to diversifying the supply on the property market (development of housing promotion programmes to supplement the social programmes mentioned above), accompanied by a redeployment of the social action of the public authorities in the housing field (establishment, in 1991, of the Caisse Nationale du Logement with the task of providing housing assistance for low and middle-income families).

179. The rural areas have also been accorded a prominent place in housing projects. Thus, various programmes which the State has helped to finance have been carried out in the countryside (self-help housing projects, elimination of squatter settlements, etc.); these programmes were reorganized in 1989.

180. Questions of people living on sites earmarked for large-scale projects are dealt with on a case-by-case basis, in accordance with the legislation in force, with prior compensation (Act of 1976, Constitution of 1989, Act of 1991).

181. As regards the availability of electrical power, Algeria is one of the few countries in the developing world with an extensive power network. Thus, in 1978, the Government adopted a national plan intended to achieve the electrification of the entire country by 1990. The implementation of this programme has helped to strengthen the power generation, transport and distribution equipment and infrastructure. Further work is required to complete the rural electrification programme. A general survey carried out in 1987 showed that 150,000 connections, requiring 15,000 km of low and medium-voltage networks for localities with more than 10 connections, remain to be installed.

Article 12

182. The right to health is a fundamental principle enshrined in article 51 of the Constitution, which states: "All citizens have the right to protection of their health. The State shall take steps to prevent and combat epidemic and endemic diseases."

183. Numerous other legal instruments guarantee "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health". Thus the Protection and Promotion of Health Act (No. 85/05) of 16 February 1985 states, in particular:

> "Article 2: The protection and promotion of health contribute to the physical and moral well-being of the individual and the fulfilment of his potential within society and therefore constitute an essential factor in the economic and social development of the country.
>
> Article 3: In the field of health, the aims shall be to protect human life against disease and risk, and to improve living and working conditions, in particular by:
>
> The development of disease prevention;
>
> The distribution of health care in conformity with the needs of the population;
>
> Priority medical protection for groups at risk;
>
> The expansion of physical education, sports and leisure activities;
>
> Health education.

Article 20: The public sector shall constitute the essential framework for the provision of free care in accordance with article 67 of the Constitution.

Article 21: The State shall employ every means of protecting and promoting health, while ensuring free care.

Article 22: The provision of care, defined as all public health measures, diagnostic procedures, and the treatment and hospitalization of the sick, shall be free in all public medical establishments.

Article 68: The protection of the mother and child is defined as all those medical, social and administrative measures aimed at, in particular:

Protecting the health of the mother by providing her with optimum medical and social conditions before, during and after pregnancy;

Providing optimum conditions for the health and psychomotor development of the child.

Article 75: The opening and operation of day nurseries and kindergartens shall be subject to compliance with hygiene and safety standards, in accordance with the legislation and regulations in force."

184. As regards industrial hygiene, Act No. 78/12 of 5 August 1978, provides as follows:

"Article 13: An undertaking shall guarantee its workers the health and safety conditions specified in the legislation currently in force.

Article 14: It shall be the aim of occupational medicine to protect the health of workers in the course of their employment by shielding them from any physical or mental harm, by supervising their fitness for their work and by preventing occupational diseases and work-related accidents."

185. The Protection and Promotion of Health Act (No. 85/05) of 16 February 1985 provides as follows:

"Article 76: It shall be the aim of health protection in the workplace to improve the capacity for work and creativity, to extend the active life of citizens, to prevent occupational diseases, to lessen their prevalence, to reduce the number of cases of disability and to eliminate factors harmful to health."

186. The Commune Act (No. 90/08) of 7 April 1990 provides as follows:

"Article 107: The commune is responsible for maintaining hygiene and public health, in particular with respect to:

Drinking water distribution;

Disposal and treatment of sewage and urban solid waste;

Control of transmissible diseases;

Food hygiene and hygiene in places and establishments open to the public;

Pollution control and environmental protection.

Article 108: The commune is responsible for the creation and maintenance of open spaces and all urban furniture intended to improve the environment."

187. With regard to the prevention, treatment and control of endemic, epidemic and occupational diseases, Act No. 85/05 provides as follows:

"Article 29: All organs of the State, local authorities, enterprises, organizations and the population at large are required to apply the measures relating to public health, hygiene, the control of epidemic diseases, the control of environmental pollution, the improvement of working conditions and general prevention.

Article 52: The walis (departmental heads), the directors of public bodies, the health services and the chairmen of the communal people's assemblies shall ensure the timely implementation of measures to prevent epidemics and to eliminate the source of those diseases which do appear.

Article 54: Every doctor is required to immediately report to the health services concerned any contagious disease he may diagnose, subject to administrative and penal sanctions.

Article 55: With a view to preventing infectious diseases, inhabitants shall undergo free compulsory vaccination. The list of communicable diseases necessitating compulsory vaccination is established by means of regulations.

Article 61: The health institutions and health personnel shall, with the cooperation and assistance of the public authorities and agencies, organize campaigns and activities aimed at the prevention of non-communicable diseases and social sources.

The health services shall also participate in accident prevention activities."

188. In accordance with Executive Decree No. 90-264 of 8 September 1990, the health and social-welfare services plan and execute all measures intended to orient health activities towards the protection and promotion of public health and social-welfare activities. In this respect, they have particular responsibility for:

(a) Ensuring the execution and evaluation of environmental hygiene programmes and programmes to combat communicable diseases;

(b) Ensuring the establishment of a system for the collection of epidemiological information and undertaking periodic evaluation of that information (art. 3).

189. The Interministerial Decree of 2 March 1987 set up an interministerial committee and local committees to monitor the water-borne diseases control programme on a continuous basis.

190. In accordance with the Commune Act (No. 90-08) of 7 April 1990:

> "Article 75: In the context of the provisions of the above article and out of respect for the rights and freedoms of citizens, the President of the communal people's assembly shall bear particular responsibility for:
>
> Planning and taking the necessary measures to combat endemic or contagious diseases."

191. The Wilaya Act (No. 90-09) of 7 April 1990 stipulates:

> "Article 78: The wilaya people's assembly, in conjunction with the communes, shall initiate and implement every epidemiological prevention activity.
>
> It shall ensure the implementation of prevention activities. In this context, it shall take all measures intended to promote the establishment of institutions concerned with the inspection and hygiene of agencies open to the public and consumer products."

192. Concerning the development of medical services, the Health Protection and Promotion Act (No. 85-05) of 16 February 1985 contains the following provisions:

> "Article 4: The national health system is defined as the sum of activities and resources intended to ensure the protection and promotion of public health.
>
> It shall be so organized as to meet public health needs in a global, coherent and unified manner, in the context of the Health Charter.
>
> Article 5: The national health system shall be characterized by:
>
> Health planning within the global process of national economic and social development".

193. The Commune Act (No. 90-08) of 7 April 1990 states:

> "Article 100: In accordance with national standards, the commune shall be responsible for the establishment and maintenance of health centres and clinics."

194. The Wilaya Act (No. 90-09) of 7 April 1990 stipulates:

"Article 76: In the area of public health, the wilaya people's assembly, in the context of national standards and pursuant to the Health Charter, shall ensure the execution of health installations exceeding the capacity of communes:

Development of human, material and financial resources consistent with the national objectives laid down in the area of health;

Complementarity of prevention, care and rehabilitation activities;

Decentralized, sectoral and graded health services, with a view to fully meeting public health needs;

Organization of active and effective public participation in the determination and execution of health education programmes;

Integration of health activities, irrespective of the system in which they are undertaken.

Article 23: Health planning shall be integrated within the national economic and social development plan. It shall ensure the harmonious and rational distribution of both human and material resources, in the context of the Health Charter.

Article 24: Health planning shall define objectives and establish the facilities to be provided in the areas of:

Infrastructure;

Equipment;

Human resources;

Health programmes.

Article 89: A person in difficulty shall be deemed to be any child, adolescent, adult or elderly person suffering from:

A psychological or anatomical deficiency;

An inability to perform an activity within the limits deemed normal for a human being; or

A disability which restricts or precludes normal social activity.

Article 90: Persons in difficulty shall be entitled to health care and social welfare, in accordance with the legislation in force.

Article 95: The health services shall provide health coverage and, in conjunction with the other services concerned, shall ensure observance of the health and safety standards of specialized institutions for persons in difficulty, in accordance with the legislation and regulations in force.

Article 103: Persons suffering from mental illness shall be treated in one of the following institutions:

Specialized psychiatric hospitals;

Psychiatric departments in general hospitals;

Units forming part of the basic health network.

Article 266: Infringements of health, hygiene and general-prevention regulations and standards shall carry, without prejudice to disciplinary and administrative penalties, criminal penalties, in accordance with the legislation in force, in particular, articles 441 bis, 442 bis and 443 bis of the Penal Code."

195. Executive Decree No. 90-264 of 8 September 1990, establishing the regulations for the organization and functioning of the wilaya health and social-welfare services states:

"Article 3: The health and social-welfare services shall plan and execute all measures intended to orient health activities towards the protection and promotion of public health and social-welfare activities.

In this respect, they have particular responsibility for:

Ensuring the enforcement of legislation and regulations in all areas relating to health and social-welfare activities;

Providing leadership for, coordinating and evaluating the functioning of the health and social-welfare institutions;

Ensuring leadership, coordination and evaluation of the execution of national health programmes, particularly in the areas of general prevention, maternal and child welfare, and control of population growth;

Establishing the information system for the evaluation of social-welfare needs;

Providing leadership for, coordinating and evaluating the execution of social-welfare programmes, in particular those concerning assistance to elderly and needy persons, the education and rehabilitation of disabled persons, and the welfare and protection of orphans and young persons in moral danger;

Executing any measure intended to promote the expression of national solidarity in social affairs and, on this basis, orienting and assisting the association concerned."

196. It should be noted that the measures taken since national independence, which are aimed at putting into effect all the points covered by article 12 of the Covenant, have largely concerned prevention. In this connection, attention should be drawn to the multisectoral aspect of this activity in so far as it relates to the environment, the improvement of water supply networks, the liming of wells, health education, etc.

197. The development of the Algerian health system, based on the constitutional principle of the right to health and on free health care established in 1973, has had very significant effects: life expectancy at birth increased from 51 years in 1965 to 65 years in 1987; infant mortality declined from 170 per 1,000 to a figure of less than 60 per 1,000 in 1990. The latter figure has been declining steadily and is expected to fall to 50 per 1,000 in the very near future.

198. An ongoing programme forms part of a reform aimed at the decentralization of management and the optimum use of human and material resources. The thrust of the programme is to:

(a) Augment current efforts to combat infant mortality and reduce perinatal and child mortality;

(b) Reduce maternal mortality;

(c) Reduce morbidity and mortality caused by water-borne diseases, zoonoses, and occupational accidents and diseases;

(d) Meet needs in respect of medical and surgical emergencies and chronic diseases;

(e) Improve the training of health personnel and information given to users;

(f) Provide optimum care at minimum cost.

199. The prevention programme comprises several elements which have been formulated and executed as operational subprogrammes for several years:

(a) The national anti-tuberculosis subprogramme, which succeeded in reducing the mortality rate from 16 per 10,000 inhabitants in 1970 to 0.4 per 10,000 during the past decade;

(b) The national subprogramme to combat infant mortality;

(c) The subprogramme to combat water-borne diseases and the AIDS prevention subprogramme;

(d) Other subprogrammes under way, such as those dealing with acute rheumatoid arthritis, zoonoses and scorpion poisoning.

200. As regards AIDS, it should be noted that as soon as the first cases came to light in 1986, a national committee was set up. A threefold strategy was adopted comprising the prevention of contamination through the bloodstream, the prevention of contamination by sexual contact and the care of infected persons.

201. The birth control programme is also being continued and projects to provide special care for elderly persons are under study. Generally speaking, the activities and projects included within the concept of sustainable development are planned within a medium-term perspective and with the assistance of the other sectors concerned.

202. As regards treatment, Algeria has 60,000 hospital beds. During the past decade many modern hospitals with 120 to 250 beds have been opened in areas where medical care was deficient. The present ratio is 2.4 beds per 1,000 inhabitants, in addition to all the smaller facilities (polyclinics and health centres) which spearhead the work of prevention and initial care.

203. There has been an unprecedented improvement in the distribution of health personnel. The training effort made at all levels has resulted in a considerable increase in medical personnel:

5,672 specialists;

4,022 residents;

11,683 general practitioners;

1,839 pharmacists.

204. These figures represent 20.2 per cent of total health personnel, the remaining 80 per cent being made up of: 74,153 paramedics (49.7 per cent), 10,799 administrative staff, and 34,115 technicians and other staff.

205. These substantial human resources (150,000), excluding senior staff and Ministry of Health personnel, illustrate the effort made and the financial needs to be met: 6 out of every 1,000 Algerians are employed in the health sector.

206. The legislation and regulations currently being drafted will contain provisions concerning all these staff and the implementation of the principles of the social and economic reform now under way: general coverage by the social security system and the Government, State health service contracts with care units having specialized services, specialization of certain institutions with a view to ending the transfer of patients to hospitals abroad, and computerization of management.

207. The following trends have been observed in mortality rates. General mortality has been characterized by high rates in the youngest and oldest

age-groups (infant and child mortality and mortality in the over-60 age-group). Male mortality is higher than female mortality, except in the 1-10 and 25-29 age-groups; these exceptions are accounted for by socio-cultural considerations, in the first case, and by pregnancy and childbirth, in the second.

208. Overall mortality fell from 11.7 per 1,000 in 1979 to 5.8 per 1,000 in 1987, while life expectancy increased from 59 to 65 years.

209. On the question of infant mortality, it should be noted that between 1981 and 1989 infant mortality fell from 84.7 per 1,000 to 58.1 per 1,000. Before the initiation of the programme to combat infant mortality in 1989, the principal causes of death were diarrhoea (40 per cent), acute respiratory infections (20 per cent) and measles (15 per cent). This programme has emphasized improved vaccination rates and action to combat diarrhoea, and has led to a modification of the structure of infant mortality.

210. At the present time, neonatal mortality accounts for 46.2 per cent of infant mortality. Neonatal mortality is to a large extent related to low birth weight (prematurity and inadequate intra-uterine growth).

211. In the late 1980s child mortality mainly affected the 1-4 year age-group, where deaths still account for 20 per cent of all deaths of children under the age of five years.

212. With regard to maternal mortality, it should be noted that, in a survey undertaken by the Algerian Ministry of Health and UNICEF (Algiers, 1991) covering 12,000 households, it was found that in women of childbearing age one death in four was related to complications during pregnancy.

213. The downward trend in the population growth rate is accounted for by the decline in the birth rate, which is greater than the decline in the mortality rate. The population, estimated at 25,324,000 on 1 January 1991, is concentrated on the coastal heathland and the steppe. Only 8.7 per cent of inhabitants live in the south of the country. The urban population increased from 31 per cent in 1966 to 50 per cent in 1987, while the population of built-up areas grew from 56.1 per cent to 70.8 per cent over the same period. The Algerian population is particularly young: in 1988 children in the 0-4 year age range accounted for 16.6 per cent of the population (as opposed to 19.8 per cent in 1966), children and young people between the ages of 5 and 19 accounted for 38.4 per cent (37.6 per cent in 1966), persons in the 20-59 age-group accounted for 39.3 per cent (35.9 per cent in 1966) and persons over 60 accounted for 5.7 per cent (6.7 per cent in 1966).

214. On the question of living conditions, and more specifically the question of environmental conditions and availability of water, potential water resources are estimated at 12.4 billion m^3 a year, of which 4.4 billion m^3 a year (35 per cent) are currently being used. Piped water supply, which stands at 87 per cent in urban areas, is 76 per cent in rural built-up areas and only 8.5 per cent in sparsely populated areas. The average quantity of water supplied is estimated at 177 litres per inhabitant per day in urban areas, 200 litres per inhabitant per day in semi-rural areas and 286 litres per inhabitant per day in rural areas.

215. Programmes for the protection of water resources mainly involve efforts to combat water-borne diseases, soil conservation and, on an ad hoc basis, flood control. In recent years, increasing attention has been paid to drainage and water treatment programmes; improved management of supply networks has yet to be achieved.

216. State action has consisted of a policy of subsidies and support for the prices of so-called basic products, free health care, 80 per cent subsidies for drinking water, subsidies for sanitation, water for agricultural purposes, transport, rural electrification, gas, fuels and rents.

217. The population's state of health and the health services have steadily improved. Between 1962 and 1991 there was a remarkable decline in a number of diseases: malaria virtually disappeared, the incidence of tuberculosis fell from 72 cases per 100,000 inhabitants in 1981 to 43 per 100,000 in 1990. The mortality rate for childhood diarrhoea, which is still common (2.1 episodes per child per year in 1989), fell by 50 per cent between 1986 and 1989, while the number of hospital admissions for acute diarrhoea fell by 25 per cent over the same period. The incidence of measles fell from 153.8 to 17 cases per 100,000 inhabitants and measles has virtually ceased to be a cause of mortality. However, water-borne diseases among children and adults still give cause for concern (salmonelloses, cholera and viral hepatitis).

218. As for the availability of, and access to, health services, the national health system is structured around the health sector and is based on complementarity between the public, semi-public and private sectors, and also on graduated treatment. The increase in the number of basic health units and the development of medical welfare centres and of medical practices have facilitated access to health services. Since 1985, preventive programmes have been integrated into the basic units, thereby making it possible to respond more effectively to the needs of the public in the spheres of vaccination, pregnancy monitoring, birth spacing, action to combat diarrhoeic illnesses and school hygiene.

219. However, access to health care is still unsatisfactory as there are certain needs that are not being fully met: only 32 per cent of pregnant women are monitored during pregnancy (survey by the Algerian Ministry of Health/UNICEF, 1989), despite the fact that the existing facilities are in some cases under-utilized. In addition, health care is not always properly graduated, as a result of which hospitals operate as dispensaries and are thus prevented from fully playing their role. Finally, the economic crisis has had severe repercussions since 1988, both on specialized health care and on preventive care.

220. Where health expenditure is concerned, it should be mentioned that national expenditure grew at an average rate of 14 per cent during the 1980s. As a ratio of GDP, national health expenditure rose from 3.6 per cent in 1980 to 5.5 per cent in 1989. This increase is attributable to a sustained investment policy, major efforts to train medical and paramedical personnel, and the introduction of new equipment.

221. The operating budget of the health sectors followed the same trend. When credit lines were allocated to ministerial departments under the 1992

operating budget, approximately 12,317,689 dinars were earmarked for the health and welfare department, making it one of the most generously financed sectors.

222. In general terms, the percentage of the population with access to health services ranges from 88 per cent in urban areas to 80 per cent in rural areas.

Article 13

223. The right to education is guaranteed by the Constitution, article 50 of which stipulates that "The right to education is guaranteed. Education shall be free of charge under the conditions laid down by the law. Primary education shall be compulsory. The State shall ensure equal access to education and vocational training".

224. Education and training are organized in conformity with Ordinance No. 76-35 of 16 April 1976 and the decrees relating thereto. Thus, article 2 of the Ordinance enumerates the various purposes of the educational system:

(a) To develop children's and citizens' personality and prepare them to take their place in society;

(b) To impart general scientific and technical knowledge;

(c) To respond to the people's aspirations for justice and progress;

(d) To awaken patriotic feeling.

225. In accordance with article 3, the educational system is required:

(a) To inculcate in young people the principles of justice and equality among citizens and peoples, and to encourage them to combat any form of discrimination;

(b) To impart an education which fosters understanding and cooperation among peoples for the purpose of universal peace and understanding among nations;

(c) To develop an education consistent with human rights and fundamental freedoms.

226. Every Algerian is entitled to education and training. This right is ensured through the general availability of primary education (art. 4).

227. Act No. 91-26 of 18 December 1991 establishing the national plan for 1992 set a number of general objectives, noteworthy among which are the gradual implementation of the reform of the educational, training and research systems, and in particular basic and applied pedagogics, in order to improve their performance and achieve better coordination of their various components.

228. As to the percentage of the national budget devoted to education, Act No. 91-25 of 18 December 1991 (Finance Act for 1992) allocated a total of 43,998,241 dinars to the Ministerial Department responsible for education, thereby making it the most generously funded ministerial department.

229. Under the Educational System (Manpower) Planning Act (No. 84-05) of 7 January 1984, the basic objective of manpower planning is to maximize human potential and improve cultural and scientific knowledge in conformity with the requirements of national economic, social and cultural development. Planning is geared to the evolution of society and ensures respect for the principles of the democratization of education, equity and equal opportunities for all (art. 4).

230. Education is compulsory and free of charge, as stipulated by Ordinance No. 76-35 of 16 April 1976:

> "Article 5: Education shall be compulsory for all children aged from 6 to 16.
>
> Article 6: The State shall guarantee equal access to post-primary education subject to no restriction other than individual ability and the resources and needs of society.
>
> Article 7: Education shall be free of charge at all levels, regardless of the type of establishment attended."

231. Decree No. 76-67 of 16 April 1976 concerning free education and training contains the following provisions:

> "Article 1: Education shall be provided free of charge in all educational and training establishments, in conformity with article 7 of Ordinance No. 76-35 of 16 April 1976 relating to the organization of education and training.
>
> Article 2: All pupils duly enrolled in an educational or training establishment and adults undertaking a course of education or training shall be entitled to free educational services.
>
> Article 3: In addition to a free education, pupils in primary education and secondary education shall be entitled to use, at minimum cost, teaching facilities, school supplies and allied social services."

232. The educational system comprises the following levels: pre-school, primary, secondary and higher. In order to gain a better grasp of the extent of the efforts made by Algeria in this important sphere, it should be noted that in 1963 there were 700,000 primary and middle-school pupils, 34,000 in secondary schools and 2,750 in higher education. In 1983 and 1984, 314,000 pupils were enrolled in secondary schools; there were 96,000 students at the undergraduate level and approximately 5,000 at the postgraduate level in Algeria as a whole. This democratization of education has required considerable efforts in terms of educational infrastructure and social and cultural programmes, necessitating annual operating expenditure of some 170 billion dinars during the period 1969-1979 alone.

233. At the pre-school (4-5 years), primary (6-15 years) and secondary (16-18 years) levels, the school system is governed by the Ordinance of 16 April 1976. It is structured as follows:

234. Pre-school education is for children who have not reached the mandatory school age; it is a form of supplementary teaching that prepares children for entry into primary school. It is provided in kindergartens, nursery schools and pre-school classes. The Ministry of Education exercises pedagogical authority over pre-school establishments, determines the conditions of admission for pupils, timetables, curricula and pedagogical instructions, and provides training for pre-school teachers.

235. The purpose of primary education is to provide a common basic education for all pupils. Its duration is nine years. Primary schools are independent units that provide an uninterrupted education from the first to the ninth year. They are divided into three stages:

(a) The first cycle, from the first to the third year;

(b) The second cycle, which encompasses the fourth, fifth and sixth years;

(c) The third stage, from the seventh to the ninth year.

Children are admitted to the first year of primary education when they reach the age of six.

236. Special establishments have been set up to meet the needs of children and adolescents whose state of health or mental or physical development requires a specific education.

237. On successful completion of primary education, students are awarded a diploma. On completion of the third cycle (in their ninth year) pupils are channelled either into secondary education or vocational training centres.

238. Staff consist of regular primary teachers or specialized teachers responsible for teaching one or more subjects.

239. Ordinance No. 76-35 of 16 April 1976 contains the following provisions on primary education:

> "Article 24: The purpose of primary education is to provide a common basic education for all pupils. Its duration is nine years.
>
> Article 26: Primary schools are independent units that provide an uninterrupted education from the first to the ninth year.
>
> Article 28: Children shall be admitted to the first year of primary education when they reach the age of six. Conditions for admission and any exceptions thereto shall be decided by the Minister of Education."

240. Decree No. 76-66 of 16 April 1976, relating to the compulsory nature of primary education, contains the following provisions:

"Article 1: In conformity with the provisions of article 5 of Ordinance No. 76-35 of 16 April 1976 relating to the organization of education and training and those of this Decree and the consequent regulations, primary education shall be compulsory for children who reach the age of six during the current calendar year.

Article 2: Parents, guardians and, in general, all persons responsible for children of school age shall be required to enrol them in the primary school of their school district.

Article 3: At the beginning of each calendar year, the communal authorities shall send to the director of education a numerical list of the children who will reach the age of compulsory schooling at the beginning of the following school year.

Article 7: Parents and guardians shall be required to provide an explanation for any failure to comply with the obligation to send their children to school. If appropriate, special leave of absence may be authorized by the Ministry of Education.

Article 8: Failure by parents to comply with the obligation to send their children to school shall constitute a punishable offence for which the parents or guardians shall be liable to a reprimand and, if they repeat the offence, a civil fine."

241. Article 13 of Decree No. 76-71 of 16 April 1976 relating to the organization and functioning of primary schools stipulates that primary school pupils are to be channelled towards the various branches of secondary education on the basis of their school results and abilities and the needs of the economy.

242. Secondary education is intended for pupils who have completed their primary schooling. It comprises general secondary education, specialized secondary education, and technical and vocational secondary education.

243. The main objective of general secondary education is to prepare pupils to continue their studies in higher education. General secondary education is of three years' duration.

244. In addition to pursuing the aims of general secondary education, specialized secondary education is designed to increase pupils' knowledge of the subject or group of subjects in which they have achieved the best results.

245. Technical and vocational secondary education is designed to prepare young people for employment in the various sectors of production. To this end, it provides training for technicians and skilled workers, and also prepares pupils for higher training. It should be noted that technical and vocational

secondary education is organized in close cooperation with the enterprises, public bodies and workers' organizations concerned. The duration of technical and vocational secondary education varies according to the level of training aimed at.

246. Secondary education is provided in lycées and technical schools. A diploma or certificate, whose requirements and levels of equivalence are fixed by decree, is awarded to pupils who successfully complete their secondary education.

247. Secondary-school teachers fall into the following categories:

(a) Teachers who specialize in teaching one or two subjects;

(b) Teachers who specialize in practical subjects;

(c) Managers and senior staff from firms; specialists in the various branches of national activity also take part in teaching and training.

248. Ordinance No. 76-35 of 16 April 1976 contains the following provisions:

"Article 33: Secondary education shall be intended for pupils who have completed primary education as determined by the Ministry of Education.

In addition to pursuing the overall aims of primary schooling, it is designed to:

Deepen the knowledge already acquired;

Bring about gradual specialization in the various spheres in the light of pupils' abilities and the needs of society.

Accordingly, it fosters:

Either entry into employment; or

Further studies to acquire higher training.

Article 38: The duration of general or specialized secondary education shall be three years.

The duration of technical or vocational secondary education may vary, according to the level of training envisaged, between one and four years.

Equal access to the various levels of education is confirmed by the facts and evidenced in the massive number of pupils belonging to all segments of society advancing from primary schooling to the higher (third) level of education, which should afford them the opportunity to move on to the further stages."

249. Ordinance No. 76-35 of 16 April 1976 contains the following provisions:

Article 14: Further education and training shall be provided by the State to members of society who so desire, without distinction as to age, sex or occupation.

Article 43: Further education activities are aimed at achieving literacy and steadily raising the cultural, moral and political standards of members of society.

They are directed at all persons or groups of persons who have not received school education with a view to developing their knowledge and supplementing their education.

Article 44: Further education shall be organized so as to constitute, together with school education, an integrated system of lifelong education, diversified according to the age of the beneficiaries and society's needs.

Article 45: Further education shall be provided:

In institutions especially created for the purpose;

In education and training establishments;

In any other appropriate place.

Article 46: Under the auspices of the Minister of Education and as established by decree, local communities, national mass organizations, enterprises and cooperatives and the various public services may organize further education activities.

Article 47: Further education is assured by teachers of different specialized subjects or by any competent person.

Article 48: Further education provides preparation, on the same basis as school education:

For examinations and competitions for State-guaranteed titles and diplomas;

For entrance examinations to schools, centres or institutes providing general or vocational training."

250. Concerning the development of the school network, article 30 of Ordinance No. 76-35 of 16 April 1976 states that special institutions other than those provided for by the public health legislation may be set up for children and adolescents who, for reasons of health or intellectual or physical development, require specific education.

251. Decree No. 76-69 of 16 April 1976, relating to the establishment of a system of school catchment areas, contains the following provisions:

"Article 1: The system of catchment areas is intended to ensure, on a permanent basis, the best possible conditions of schooling nationwide.

Article 2: Teaching institutions shall be located as appropriate to provide the school-age population concerned with education at the various levels and also with further education.

Article 4: To meet the objectives of schooling in the best possible way, the institutions shall be designed with a view to full utilization of school facilities and possible changes in their use or capacity and attendance by pupils."

252. The Commune Act (No. 90-08) of 7 April 1990 contains the following provisions:

"Article 97: In accordance with the national regulations and the system of catchment areas, responsibility for the provision of primary schools shall rest with the commune. The commune shall also be responsible for the maintenance of such schools.

Article 98: The commune shall take every measure to facilitate school transport.

Article 99: The commune shall initiate every possible measure to encourage and promote preschool education."

253. In addition, the Wilaya Act (No. 90-09) of 7 April 1990 states in article 74: "The wilaya, within the framework of national regulations and pursuant to the system of school education and training by catchment area, shall ensure that schools are provided for secondary and technical education and for vocational training.

It shall furthermore ensure the upkeep and maintenance of such schools."

254. The social welfare system is governed by Ordinance No. 76-35 of 16 April 1976, which provides, inter alia, as follows:

"Article 67: School welfare comprises a range of activities which supplement the educational support provided by the State with a view to:

Helping pupils to pursue their studies by overcoming social, economic or geographic disparities;

Providing financial relief to families.

Article 68: School welfare ensures that pupils are provided with the necessary educational aids, school supplies, transport, food and clothing, accommodation, leisure and recreation, and medical assistance."

255. Executive Decree No. 90-170 of 2 June 1990, establishing the conditions for the award of grants and the amount of such grants, contains the following provisions:

"Article 2: The grant is an award made by the State to pupils, trainees or students regularly enrolled in public educational or training institutions with a view to defraying part of the cost of their education or supplementing their means of subsistence.

Article 3: For the purposes of this Decree:

'Pupil' means any person regularly attending, on a full-time basis, an institution providing primary or secondary education;

'Trainee' means any person regularly engaged, on a full-time basis, in vocational training in a public training institution;

'Student' means any person regularly attending, on a full-time basis, a course of education or training where the entrance level is the baccalaureate of secondary education or a recognized equivalent, or that of the third year of secondary educa[illegible] a[illegible] a competitive examination;

'Dependent child' means any child who is a dependant of his parents, as defined by the fiscal legislation.

Article 4: The grant is awarded for the duration of the course of studies or training.

It is disbursed at the end of each month or period of three months, except in the case of the installation grant, which is paid as a single sum at the beginning of the course of studies or training.

Article 5: The grant is awarded on the basis of the parents' income and the performance of the beneficiary. In the case of education and vocational training, account is also taken of the number of dependent children.

Article 12: Appeals boards, whose composition, organization and procedures are governed by decision of the Ministry concerned, are appointed to examine complaints regarding the award of grants.

The above-mentioned decree also deals with the question of grants for primary and secondary education and for vocational training courses.

Article 13: Pupils in the third stage of primary education, secondary education or vocational training may be awarded:

A grant to cover, in whole or in part, the costs of boarding; such grants are awarded automatically to pupils attending boarding institutions in the first or second stage of primary education, as provided for by the above-mentioned Ordinance No. 67-235 of 9 November 1967; or

A grant to cover, in whole or in part, the costs of half board; or

A grant to cover, in whole or in part and for the whole period of study or training, the installation costs of pupils or trainees following technical education or vocational training courses in special fields, of which the list is approved by joint decision of the Minister of Finance and the Education Minister concerned.

Article 14: Grants for boarding or half-board may be awarded to pupils or trainees whose parents are able to show that their net joint monthly income is less than or equal to two and a half times the guaranteed national minimum wage.

The amount of the grant is reduced by 50 per cent for pupils and trainees whose parents have a net joint monthly income of between two and a half and three times the guaranteed national minimum wage.

These thresholds are increased by 1,000 dinars per year for each additional dependent child but the increase may not exceed 3,000 dinars.

Article 15: The amount of grants awarded to pupils in primary or secondary education and to trainees in vocational training is fixed as follows:

Boarding grant: 1,296 dinars per school year;

Half-board grant: 648 dinars per school year;

Installation grant: 300 dinars for the full course of technical education or vocational training."

256. Higher education concerns some 320,000 students attending 14 universities, which are to be staffed by 15,171 teachers under the system of catchment areas. The growth of the student population has been rapid (between 17 and 20 per cent a year). In addition, a large number of trainees attend the 31 specialized national institutes and schools. A few statistics will serve to illustrate progress in this field: in 1962 Algeria had 2,725 students, whereas in the 1970s this figure rose to 19,311.

257. In the 1980s, Algerian universities underwent substantial reforms with the establishment of catchment areas, the regulation of flows to rectify major imbalances, the introduction of new branches, a substantial increase in potential intake and an improvement in the quality of teaching. On the latter subject, efforts have been made in four directions: better management of the teaching process, pedagogical research, teacher training, and the modernization of teaching methods and provision of teaching aids. Teaching capacity by the year 2000 is expected to be in the order of 226,000 places, including 160,000 for prospective managerial staff and 60,000 for highly skilled technical disciplines.

258. The university system would thus cover 28 cities and wilaya. This extended network would be constituted as follows: four university cities (Algiers, Oran, Constantine and Annaba), each with a potential intake ranging from 10,000 to 18,000. Other towns would have universities with a total maximum potential intake of 10,000.

259. Three main areas have been given priority in the programme established at the beginning of the 1990/91 academic year. With regard to students' living and working conditions, a programme to renovate university buildings, in particular halls of residence and restaurants, is now being implemented. Concerning the social and professional conditions of teaching staff, a plan for urgent construction of 3,300 dwellings, including property ownership, is being finalized for several university towns. Steps were taken in 1991 to improve the system of allowances. The adjustment rate for teaching staff was set at 50 to 70 per cent of actual base salary and other allowances (for professional experience, improved performance, etc.) have also been increased.

260. Concerning pedagogics, the reform of all teaching programmes in the exact sciences, technology, social and human sciences began at the end of 1990 following a national seminar on the question, the goal being to adapt training to the evolution of society, scientific progress and users' needs. Another priority in the pedagogical field is to resolve the problem of making available the documentation needed by academics, teachers and students. This operation, with a large budget of around 4 million centimes in foreign currency, is intended to cover all subscriptions to international scientific periodicals in Arabic, French and English.

261. At present 80 per cent of students are in receipt of student grants. The cost of meals (1.20 dinars) has remained unchanged since the beginning of higher education; in terms of infrastructure, the public authorities have invested in 115 university restaurants. The monthly rent for a university room, like enrolment fees, is a purely symbolic amount.

262. Concerning education and higher training grants, Executive Decree No. 90-170 of 2 June 1990 provides as follows:

"Article 16: Student grants may be awarded for:

Undergraduate or higher training courses;

Studies or research by registered postgraduate students.

Article 17: A grant may be awarded to any student duly enrolled in a higher education or training course in a public institution if the parents can show that their net joint monthly income is less than or equal to eight times the guaranteed national minimum wage.

Article 18: The monthly amount of grants awarded to registered undergraduate students or students in higher training is set as follows:

300 dinars/month when the duration of the training is less than or equal to 12 months;

400 dinars/month when the duration of the training is less than or equal to 24 months;

600 dinars/month when the duration of the training is equal to or more than 30 months.

Article 19: The study and research grant provided for in article 16 above may be awarded to postgraduate students in public higher education and training establishments."

It should be noted that the amount of the grant is adjusted whenever it is thought necessary, to enable grant-holders to continue their studies under the best possible conditions.

263. Since education is considered a priority, many measures have been taken by the State in this domain:

(a) An increase in the number of schools, with a particular effort in rural areas;

(b) The most rational possible use of school premises;

(c) Intensive recruitment of teaching staff;

(d) Building of technological teaching establishments for the training of teachers;

(e) Provision of all instructional material for teachers and pupils;

(f) Payment of a considerable share of the cost of transport whenever necessary;

(g) Very extensive efforts to find answers to catering and lodging problems (half-board, full boarding, school canteens);

(h) Constant improvement of social and professional conditions for teachers.

264. The importance of student welfare activities has increased steadily over the years. Despite the austerity measures applied to the State budget, particularly since 1985, the university student welfare centres have continued to receive substantial subsidies. The same applies to allocations to cover the cost of public measures (bursaries for study in Algeria and abroad).

Article 15

265. Article 30 of the Constitution provides that "The purpose of the institutions is to ensure equality of rights and obligations for all citizens, whether men or women, by removing the obstacles to the full development of the human personality that prevent the effective participation of all in political, economic, social and cultural life". Moreover, article 36 of the Constitution states: "The citizen is guaranteed freedom of artistic and scientific intellectual creation. Intellectual property rights are protected by the law".

266. Mention should also be made of Executive Decree No. 90-250 of 18 August 1990 establishing the National Cultural Council.

"Article 2: The Council is a coordinating body with the task of designing, developing and putting into effect State cultural policy in its different fields of application, and proposing policies and strategies for related and contiguous fields.

It consults with the various people engaged in cultural pursuits, particularly creative artists, and with cultural associations and institutions. It leaves it to the Head of Government to choose what should have priority in investment, funding and support for the arts and cultural activities.

Article 3: It proposes to the Head of Government options, adjudications and decisions relating to cultural policy and the text of laws and regulations designed to govern the activities of the cultural sector. It defines the nature and forms of the relationships between the Council and cultural institutions, on the one hand, and between the institutions and people engaged in cultural pursuits, on the other.

Article 4: In this respect, the Council has the more specific tasks of:

Carrying out studies on the funding of culture and outlining the essential elements of a financial policy for it, while striving to harmonize market laws and commercial soundness with the need to support culture;

Coordinating the activities of the different institutions that provide expertise, knowledge, sciences and techniques so as to encourage the spread and popularization of scientific and technical culture and bring it within the grasp of the general public in appropriate forms and through appropriate organizations and bodies;

Encouraging, by means of appropriate measures, the finding and practical application of ways of disseminating universal knowledge and heritage in national guise, in accordance with social needs and having due regard for the specific contribution of our own nation and of Arabo-Islamic civilization to that universal knowledge;

Proposing and implementing a global plan for children and young people, including their provision with appropriate information and the handling of the latest scientific discoveries in well thought-out forms adapted to their actual cultural background and civilization (books, discovery centres, museums, mobile exhibitions, toys, etc.), making sure that these activities are flexible so that they can be adapted constantly to the actual rate of the discovery and combine to form a part of the artistic and aesthetic education of children;

Devising a policy for the organization and activities of cultural institutions, adapting them to the new social background and transforming them into cultural producers maintaining relations of a new type with creative artists, performers and organizers on the basis of specifications and programme budgets;

Proposing measures to encourage creative activities, the dissemination of artistic and intellectual works and their incorporation into a setting of built-up areas and towns;

Devising a policy for cooperation through international cultural exchanges, particularly with the Arab countries and the Maghreb;

Drafting a global policy for cultural and artistic training, involving the educational system, the university and the specialized institutes, with a view to training people from both the theoretical and the practical viewpoints."

267. Executive Decree No. 90-400 of 15 December 1990 on the organization, functioning and responsibilities of the permanent secretariat of the National Cultural Council.

"Article 2: The task of the permanent secretariat shall be, under the authority of the President, to put into effect the Council's programme of activities in the following domains:

The promotion and support of artistic and literary creation and of the activities of cultural associations and specialized institutions;

The study of cultural projects through a policy of funding and training designed to promote creative activities and the dissemination of culture;

International cooperation."

268. Executive Decree No. 90-234 of 28 July 1990 laying down the rules for organizing and running wilaya extension services for young people.

"Article 1: The extension services for young people shall encourage, coordinate and evaluate scientific, cultural, educational and leisure activities designed for the young, and physical and sports activities. They shall accordingly have the particular tasks of:

Helping to promote youth initiatives and fostering any activity undertaken to that end;

Encouraging youth activity associations."

269. Information Act (No. 90-07) of 3 April 1990.

"Article 5: Newspapers and information organs shall play a part in the development of the national culture and in meeting the needs of citizens in regard to information, technological progress, culture, education and leisure, having regard for national values and the promotion of exchanges of ideas between the cultures of the world ... ."

270. Presidential Decree No. 89-124 of 25 July 1989 establishing the Houari Boumediène prize for the promotion of creative activity in a national language.

"Article 2: The purpose of the prize is to reward an original, creative work of a scientific, literary or cultural nature expressed in a national language on an individual or collective basis by persons of Algerian nationality."

271. Presidential Decree No. 89-123 of 25 July 1989 establishing a medical prize.

"Article 2: The purpose of this prize is to reward any original medical work or research recognized as capable of making a decisive contribution to the development of the health services or to health promotion and carried out by a physician or a group of physicians who are nationals of Arab countries."

272. Executive Decree No. 89-122 of 18 July 1989 giving a special status to workers in specific branches of teaching and higher education.

"Article 5: To enable them to participate in cultural and scientific events, teaching staff shall be granted special paid leave of absence ...".

273. Decree No. 83-455 of 23 July 1983 on scientific and technical research units.

"Article 1: With a view to attaining the technological and scientific development objectives laid down in the national development plan, research units may be established in the higher training institutions of public enterprises and organizations."

274. Decree No. 85-543 of 24 September 1983 laying down standard statutes for the National Institute of Higher Education.

"Article 4: The objectives of the Institute under the national economic, social and cultural development plan are:

To contribute to the development of scientific and technical research;

To publish research studies and results."

275. Decree No. 86-52 of 18 March 1986 defining standard conditions for workers in the scientific and technical research sector.

"Article 5: As part of the national development plan, workers in the scientific and technical research sector shall participate in national scientific and technical research activities with a view to finding specific and original solutions for the problems arising from economic, social, cultural, scientific and technological needs ... ."

276. As regards cultural activities, the Algerian State has established a network for the dissemination of culture (cultural centres, cinemas, theatres, museums, National Records Centre, etc.). In 1988, 77 publications were issued, 52 of them in a national language.

277. About a thousand local libraries have been established. The State had provided them with 163,900 books by 1988. Moreover, the National Library has a stock of 1 million publications, microfiches, microfilms, engravings, maps, reviews and periodicals.

278. The Association of Public and Private Algerian Publishers was established in June 1989 with a view to meeting the needs of the cultural sector and developing a publication policy that would make good-quality publications available on the market and promote international exchanges and cooperation. The National Copyright Office, for its part, has the task of protecting the interests of authors and developing creative activities. In 1988 its index of protected works contained 127,050 entries.

279. There are 360 cultural centres and 16 Houses of Culture operating in Algeria as a whole. These centres are concerned with sculpture, plastic arts, ceramics, geography, traditional music and music in general, amateur cinematography, handicrafts, reading, etc. Moreover, numerous registered and subsidized non-governmental associations play a part in the promotion of culture in Algeria.

280. The Algerian film industry possesses production and distribution facilities. The Algerian Centre for the Cinematographic Art and Film Industry has a distribution and operating network that covers the whole of Algeria. The Algerian Centre for Cinematography stores and distributes films from its collection, with consists of 10,000 films (6,500 coming from the Western countries, 1,500 from East European countries, 500 from Latin American countries, 500 from Arab countries, 600 from Asian countries and 100 from African countries). In addition, 300 Algerian films are stored there. The Algerian Film Library has a stock of 1,000 works on the art of the film. Numerous international film festivals are organized every year, during which films from Algeria and other countries are shown.

281. The Algerian theatre is made up of various elements: a national theatre (Algiers), regional theatres (Constantine, Oran, Bejaia, Batna, Annaba Sidi-Bel-Abbès), nine community theatres and four open-air theatres. Numerous international theatre festivals have taken place in Algeria, at which foreign companies have performed, thus giving the Algerian public the opportunity of appreciating other forms of cultural expression.

282. There are 21 museums concerned with aspects of culture. Among the best known are the Bardo National Museum, the National Museum of Antiquities, the National Fine Arts Museum, and the National Museum of Popular Arts and Traditions. There are 300 scheduled monuments and 23 listed sites. Monuments and sites on the World Heritage List are Tassili N'Ajjar, the Kalaâ of the Beni-Hammad, the Mzab Valley, Djemila, Tipaza, Timgad and the Casbah.

283. In order to preserve this heritage, which is among the 67 wonders of the African world and figures on the UNESCO World Heritage List, Algeria, when it gained its independence, drew up a plan of activities designed particularly to safeguard and display this cultural heritage of humanity. As for professional training in the cultural and artistic domain, this undertaking was considered as a fundamental objective for the development and dissemination of culture. Thus several establishments for education in the arts have been set up:

(a) The High School of Fine Arts and its branches (situated in Oran, Constantine, Batna and Mostaganem);

(b) The National Institute of Dramatic Art and Choreography which has the task of training cultural leaders in the theatrical, audio-visual and musical arts;

(c) The National Institute of Music, which has the task of organizing and promoting the teaching of music and has two branches, one at Mostaganem and one at Batna.

These three establishments can take from 300 to 450 students (between 1985 and 1992 the Institute of Dramatic Art trained 72 students, whereas the Fine Arts Institute and the Institute of Music train 400 and 300 students per annum respectively).

284. It should be noted, moreover, that Algeria has acceded to a large number of international instruments concerned with cultural rights and has signed numerous bilateral cultural agreements with African, Arab, Western European, North American, Asian and Latin American countries.

285. In addition, the National Archaeological Agency, established in 1987, has the task of ensuring the protection and conservation of archaeological riches. An undertaking established in 1988 to restore the national heritage has taken on the task of restoring valuable cultural works.